December 1978/$1.75

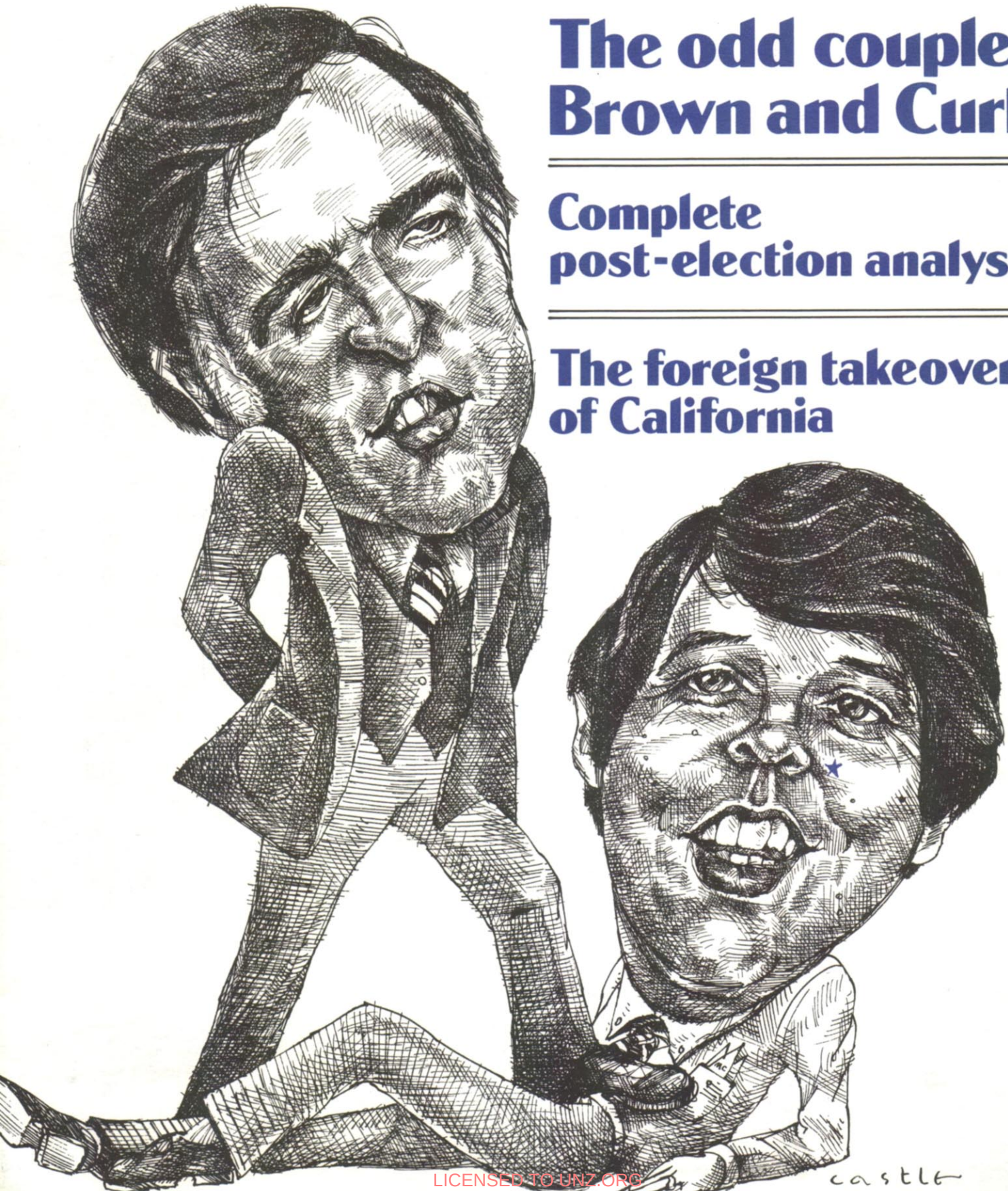
California Journal

THE MONTHLY ANALYSIS OF STATE GOVERNMENT AND POLITICS

The odd couple: Brown and Curb

Complete post-election analysis

The foreign takeover of California



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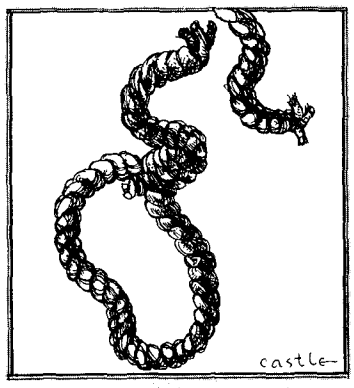
Personal
PERSPECTIVE

By Ed Salzman

Want to buy a bridge?



Californians can sleep more securely, knowing that they have struck an important blow to deter the most violent of crimes through their overwhelming approval of Proposition 7. Now those who perpetrate more types of murders will be executed in San Quentin's gas chamber.

Anyone who believes that deserves to be sold stock in the Vincent Thomas Bridge.

Proposition 7 was nothing more than a political charade. Indeed, all recent efforts to enact capital-punishment legislation has been motivated more by promise of political gain than by knowledge that cyanide pellets can start dropping again with some regularity.

In the November 2nd debate between Jerry Brown and Evelle Younger, the attorney general emphasized: "Do you want the death penalty ignored or imposed?" Was he telling Californians that he would execute wholesale numbers of those who commit capital crimes? Younger is hardly a greater exponent of capital punishment than Ronald Reagan. Yet, during his two terms as governor, Reagan allowed only one individual to be put to death by the state.

Look at the statistics: There hasn't been a single execution in California during the past 10 years. The last condemned man to pay the supreme price was Aaron Mitchell on April 12th, 1967. During Pat Brown's second term (1963-66), there was only one execution. The last time there was any significant activity in the gas chamber was during the senior Brown's first term, when 34 executions took place (including the notorious case of the red-light bandit, Caryl Chessman).

What all that means is that there has been no operative death penalty in California for fully 15 years. The reason is that the courts of this state and nation have put almost every possible impediment in the way of the death penalty without proclaiming outright that it is null and void forever. Members of the political establishment of this state, with some notable exceptions, have gone along with this gradual elimination of the death penalty. There have been quite a few votes cast in the Legislature, for example, in favor of capital-punishment measures by those who actually oppose it. These lawmakers can please their constituents without fearing that the executioner is about to go into business again.

By enacting Proposition 7 by more than 2.5 million votes and a margin of 72-28, Californians probably made it even less likely that there will soon be a resumption of activity at San Quentin. That's because the language in the measure gives the courts more material to employ in rewriting the limitations on capital punishment once again.

The overwhelming vote also guaranteed that the game of political charades will continue for quite a while because those in office will continue to fear the wrath of the electorate whenever proposals are made to have the lawbooks of the state conform to reality.

California Journal

THE MONTHLY ANALYSIS
OF STATE GOVERNMENT AND POLITICS

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The Jarvis jolt: Computer letters signed by Howard Jarvis were a major Republican tool this year. These letters may have been responsible for the defeat of Senator John Dunlap, Assemblyman Vincent Thomas and others.

Election aftermath: There was only one total shocker in the November 7th results — the defeat of Democratic Assemblyman Fred Chel. In Sacramento, he was already considered almost a safe bet to replace George Deukmejian, the new attorney general, in the Senate. Long Beach was an unhealthy place for most Democrats this year.

Overused word department: How about a general agreement that the word "obscene" will be struck from the political vernacular for at least one year?

Case of the missing legislator: Who is the assemblyman about whom they tell this fascinating tale? He was reading a speech from cards prepared by a staffer. But the staffer neglected to insert a card with the words "the end." So when the speech was finished, the legislator kept on reading the same cards a second time. The staffer supposedly ran up to the speaker's lectern and stopped the speech during the second go-round.

Tale of the numbers: On only two previous occasions has California been blessed with a governor of one party and a lieutenant governor of the other party. Gene Lee, chairman of the *Journal's* board of directors, did some research and found that the prior combinations didn't last too long. In 1894 Democrat James Budd was elected governor and Republican Spencer Millard lieutenant governor. Millard died 10 months later. In 1886, Democrat Washington Bartlett was chosen governor and Republican Robert Waterman lieutenant governor. Bartlett died nine months later.

Entertainer of the year: Assemblywoman Leona Egeland always gets a laugh when she tells audiences about an experience she had while campaigning door-to-door. A constituent came to the door stark naked. Without flinching, Egeland commented: "My husband has a suit like that."

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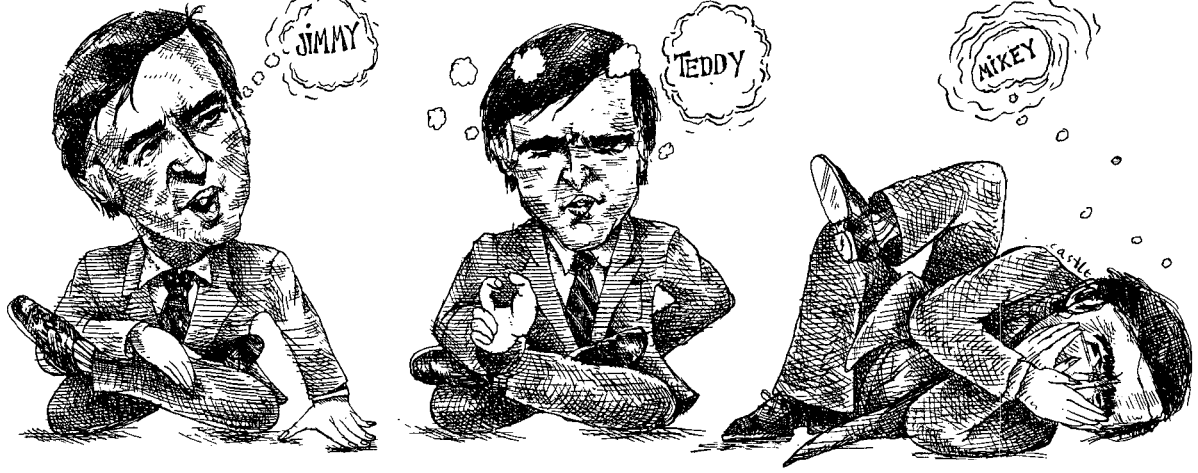

WHAT WILL BE THE NATURE OF JERRY BROWN'S

SECOND SPIRIT?

PRESIDENTIAL PROBLEMS: CARTER, KENNEDY, CURB

By Ed Salzman

To the voters of Eastern America, it must appear that Governor Jerry Brown is immensely popular with the California electorate and is doing a bang-up job following the mandates of Proposition 13. Why else would the California electorate give Brown a record-breaking margin of victory over his Republican opponent in a year when the GOP was making modest gains in the state and across the nation?

Little do they know that Brown won the election by default. It wasn't Brown's popularity that gave him a 20-point victory but rather the total ineptitude of Republican Evelle Younger's campaign. Younger made Jerry Brown look good, and Brown the master politician took advantage of every opportunity. The gubernatorial campaign made one wonder how it was that Younger had come so far in California electoral politics. The answer is that he had previously run only for jobs — judge, district attorney, attorney general — in which his basic decency, industry and overall competence were sufficient to sell the voters. In running for governor, he needed more than that — pizzazz and mastery of the media and mass psychology.

The final polls before the June 6th primary showed Brown and Younger in a dead heat if they faced each other in November. An NBC election-day survey of voters indicated that Younger would have won by four percentage points had the balloting been held on that day. Then Younger proceeded to snatch defeat from the jaws of victory. He flew to Hawaii to celebrate his primary victory and rest for the anti-Brown campaign ahead. While Younger was gone, Brown pulled his "Jerry Jarvis" act, embracing Proposition 13 and implementing it with vigor (and plenty of publicity). Younger left his political heart in Honolulu.

A convincing skinflint

Younger tried to paint Brown as a wild spender who shifted back and forth on the issues with the political winds. The message didn't stick. Brown had done too good a job convincing the voters that he was a skinflint. Brown fought back with statistics showing that Younger's Department of Justice budget increases made the attorney general the biggest spender of them all. Brown also nailed Younger on his multiple government pensions and other embarrassing fiscal items. As Younger made error after error, Brown ran an almost flawless campaign. The Governor could even afford to adopt a cool, no-errors stance for the five television confrontations between the candidates. Younger seemed to make some gains in the first full-scale debate between the two, but it was perhaps the only spark of optimism in a campaign that was doomed from the day Younger left for Hawaii.

This was an election a Republican could have won. Brown was on the skids. There was a conservative and a Republican trend afoot in the state. Two other GOP statewide candidates pulled through to victory, and the Republicans made gains in the congressional delegation and the Assembly. What might have happened had the Republicans nominated a more attractive and politically astute candidate, Mayor Pete Wilson of San Diego, for example?

This tale of the 1978 California gubernatorial election will not be known to most of the voters in the Eastern states, the next objects of Brown's political affection. Does anyone doubt that the Governor has his eye on the White House? The big question is whether Brown will try to oust Jimmy Carter in the 1980 primaries or play a waiting game until 1984. Whether Brown makes a move in 1980 will depend on three main factors:

- ***Carter's popularity.*** If Carter looks invulnerable by the time the presidential election season gets underway, Brown will probably keep his hands off and wait for a better opportunity. But Brown won't hesitate to run if he sees a chance to win the Democratic nomination because of Carter's weakness.
- ***Ted Kennedy.*** If Senator Edward Kennedy of Massachusetts decides to run for president in 1980, Brown will probably stay home. The Governor reads the polls; he knows that there probably isn't a Democrat in America today who could beat Kennedy.
- ***Mike Curb.*** The election of a Republican lieutenant governor, 34-year-old entertainment impresario Mike Curb, could make it difficult for Brown to leave the state for presidential campaign purposes. Can he take a chance that Curb will actually take charge in Sacramento, making appointments and vetoing bills? Can Brown seek the presidency when the result of a victory would be a Republican governor in the biggest state?

There is relatively little Brown can do about the Carter and Kennedy factors. But Curb might be less of a problem than might appear on the surface. First, Brown can arrange his campaign schedule so there is relatively little state busi-

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ness for Curb to handle. Secondly, why can't he let Curb become governor? The people of California elected Curb to an office that has no other real purpose.

The golden boy

The relationship between Brown and Curb might turn out to be remarkably serene. It could hardly be any cooler than the non-partnership between Brown and his Democratic lieutenant governor for the past four years, Mervyn Dymally. In fact, the cold-shoulder treatment Brown gave Dymally for most of those four years (campaign season excepted) contributed to Curb's victory. Curb emerged from his campaign against Dymally with an image that needs polishing. His charge that Dymally was a "criminal" and was "certain to be indicted" was perhaps the low point of a campaign year that saw few lofty moments.

Curb is the golden boy of the Ronald Reagan "kitchen cabinet." He is viewed as the second coming of the former actor in the political arena. The scenario calls for Curb to be elected governor in 1982 and then to follow Reagan's trail in the quest for the presidency. If he crosses swords with master politician Jerry Brown, that scenario could be cut short in the first act. Curb needs to cooperate with Brown, at least at first, to gain some respectability. After all, Curb is still wearing his political diapers. It will take him some time to learn the intricacies of the issues and the rules of the road in Sacramento. How can he be elected governor in 1982 with Democratic votes if he gains a reputation as the heckler who ruined Jerry Brown's performance?

On the other hand, Curb can position himself to the right of Brown on some issues and become the spokesman for a responsible Republican opposition when the opportunities arise. There is no surfeit of Republican leadership in Sacramento, and Curb will hardly find the legislative competition very formidable. He will preside over the Senate, where his biggest obstacle might be Republican Senator Bill Campbell who has 1982 gubernatorial ambitions of his own.

Brown need not fear Curb. Presumably, Brown will not be running for a third term in 1982. He can afford to give Curb a piece of the action; it will help Brown maintain his conservative image. All he need get in return is the freedom to travel frequently without fear of Republican sabotage back home in the executive suite. The last time California had a governor of one party and a lieutenant governor of another was in the nineteenth century, so there is no precedent for a working relationship between the two men. Both Brown and Curb, however, have shown a high degree of flexibility. If it suits their political needs — and it appears that it does -- they can work together in relative harmony.

Brown's timing problem

When Brown took office almost four years ago, almost nobody — perhaps even Brown himself — knew what kind of a governor he would become. He had run a dull campaign in which he promised very little and talked mostly about bringing a "new spirit" to Sacramento — whatever that meant. Brown proceeded to become the most interesting politician in the country — employing "buzz" words, taking 180-degree changes of position, doing well in a run for the presidency and pulling one political rabbit out of the hat after another.

What about the "second spirit?" What will Brown be like for the next four years? One of the reasons Brown is so interesting is that he is so unpredictable. But he is much like any other politician in one respect: He is aiming to go higher. In Brown's case the problem is timing. He may be foreclosed from a run for the presidency in 1980. What does he then do in 1982? Does he take a crack at a third term? Probably not. That leaves a possible race for the United States Senate seat now held by Republican S. I. Hayakawa. Then he could use the Senate as a national base from which to seek the presidency in 1984. Or he could try the Ronald Reagan approach, leaving elective office and campaigning on a full-time basis.

Because Brown's eye is on the rest of the nation, his actions in California during the next year or two will be based to a large extent on the impact they might have outside the state. Since the national mood is conservative, especially in the area of government spending, Brown can be expected to pare state budgets and try to avoid a tax increase to provide local governments with funds lost via Proposition 13. If possible, Brown will attempt to cut taxes — as he and the Legislature did shortly before this year's election. He will probably never again allow a massive surplus to accumulate, because that became a political liability prior to the June primary. He will be telling the nation that if he becomes president, he will put the axe to federal spending and cut taxes.

Platform balancing

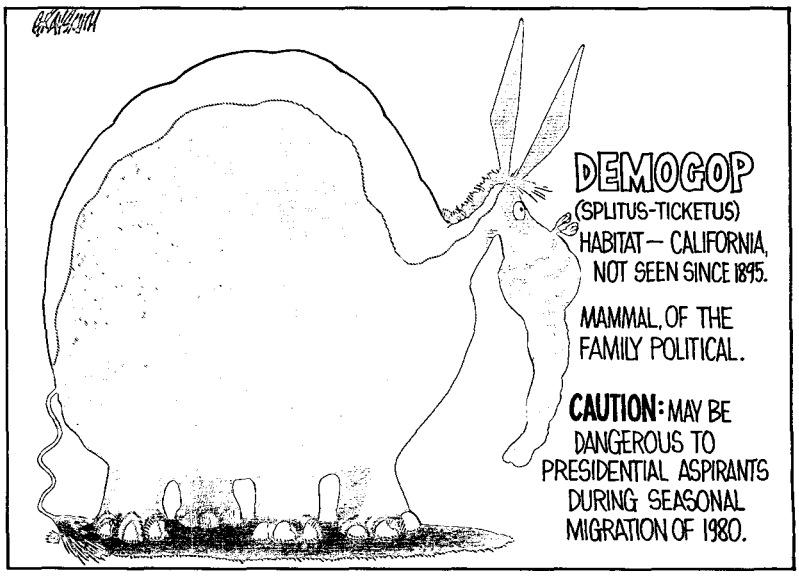
But the Governor knows that he probably cannot win a Democratic presidential nomination with a hard-line conservative platform. The liberals are still the hardest workers in the Democratic Party and they play a pivotal role in the selection of convention delegates. Just as Brown developed an overall centrist strategy in winning re-election, so will he offset his fiscal frugality with some liberal positions during the next year or two. He will probably stand firm, for example, against the construction of nuclear plants in the state. He will probably grant a cost-of-living increase to public employees and welfare recipients this year. He will keep state funds flowing to mental hospitals to avoid the kind of criticism he received during his first term about adequacy of treatment for the mentally ill and retarded. He will continue to emphasize the appointment of women and minorities. He will try to develop job-creating programs that will help him with organized labor and minorities. He will run hot and cold on environmental issues, pleasing business one day and ecologists the next.

Above all, Brown will continue to adhere to his political formula:

- *Keep yourself interesting. (Nobody does it better.)*
- *Maintain a powerful defense (on potentially dangerous issues like taxes and crime).*
- *Give the people what they want (most of the time).*
- *Attack only when necessary. (When you are out front, you can afford to be Mister Nice Guy.)*

This year especially, another ingredient might be added to the Jerry Brown recipe for success:

- *Pick weak opponents.*


DEMOGOP
(SPLITUS-TICKETUS)
HABITAT — CALIFORNIA, NOT SEEN SINCE 1895.
MAMMAL, OF THE FAMILY POLITICAL.
CAUTION: MAY BE DANGEROUS TO PRESIDENTIAL ASPIRANTS DURING SEASONAL MIGRATION OF 1980.

Cartoon by Robert Graysmith, San Francisco Chronicle

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By Ed Salzman

• Decline in party loyalty
• Gains and losses for women
• Hope for opponents of the court

At first glance, it might appear as though the 1978 California election was a victory for the Democrats. After all, Jerry Brown retained the governorship by a record margin; Democrats won four out of six statewide offices and maintained healthy majorities on the Board of Equalization, in the congressional delegation and in both houses of the Legislature.

At second glance, it might appear as though the election was a significant achievement for the Republicans. After all, they picked up one additional statewide office, broke the Democratic stranglehold on the Board of Equalization, picked up three seats in Congress and gained seven seats in the Assembly.

But at third glance, it appears that the November balloting actually indicated something akin to disgust among the voters with both major political parties. There was a sharp decline in party loyalty, especially among Democrats, as indicated by some of the legislative contests. The voters picked candidates carefully, avoiding slate balloting. Above all, many voters cast their ballots for minor party candidates. The Libertarian candidate for governor, Ed Clark, picked up five percent of the vote, and some minor-party candidates went into double digits lower on the ballot.

What this means is that the new mood of the electorate is to examine candidates and how they stand more closely, no longer depending on party designation as the prime concern. It means that, unless there is a reversal of form, there are no longer many safe districts in the state for either the Democrats or the Republicans. It may also encourage the minor parties, particularly the Libertarians, to concentrate on a few districts in the future in the hope of gaining a voice in the Legislature or the congressional delegation. It means that Democrats and Republicans should no longer take anything for granted.

High spending, low tactics

Perhaps the voter revulsion to standard patterns was partially in response to the nature of the 1978 campaign — marked by very high spending and rather low tactics in some races. The public attitude is especially bad news for the Democratic Party because the majority party has the most to lose when there is a weakening of loyality. The Republicans had little to lose this year; they were down almost to ground zero. That may be why not a single Republican incumbent was defeated. Yet, it must be pointed out that Democratic Governor Jerry Brown carried the old GOP bastion, Orange County.

The voter turnout, about 70 percent, was some five percent lower than expected. That was a plus for the Republicans, but there were hardly any results that would have changed by five-percent additional voter participation.

This was a year in which the pollsters were remarkably accurate. They forecast Brown's margin of victory and the results of every statewide contest. They also indicated that Chief Justice Rose Elizabeth Bird would retain her office by an uncomfortably small margin.

The near-success of Bird's opponents will probably encourage those who feel that the justice system is too liberal. The election of conservative George Deukmejian as attorney general could have a major effect on judgeship appointments, at least at the higher levels. Deukmejian will sit on the Commission on Judicial Appointments which considers gubernatorial nominees for the Supreme Court and Courts of Appeal. The attorney general and the senior presiding appellate justice, who will also be a conservative in most cases, could outvote Bird, 2-to-1.

The election had mixed results for women. Leaders of women's political-action organizations had hoped for larger gains. At the statewide level, the situation was unchanged; Secretary of State March Fong Eu is the lone officeholder. The congressional delegation lost both women, Republican Shirley Pettis, who retired, and Democrat Yvonne Burke, who ran unsuccessfully for attorney general. The only woman on the Board of Equalization, Iris Sankey, was defeated. The number of women in the state Senate doubled from one to two. And the female contingent in the Assembly jumped from five to nine. (Women's organizations had been shooting for a minimum of 10.)

Local highlights

Some of the more significant contests took place at the local level. Some of the highlights:

- *Los Angeles.* County assessor Alexander Pope, a liberal Democrat, retained his post by a 53-47 margin, defeating Frank A. Hill, who carried the imprimatur of Howard Jarvis.
- *San Diego.* By a 3-1 margin, voters approved local-government spending limitations.
- *San Jose.* Mayor Janet Gray Hayes, a limited-growth advocate, won re-election over Councilman Al Garza, 71-29. Developer interests lost ground in other races.
- *Long Beach.* Voters approved the construction of a mammoth terminal for Alaskan Oil, 61-39. The Sohio project still cannot proceed until a variety of permits are granted.
- *Sacramento.* Voters recalled four San Juan school board members who had voted to use public funds to challenge the constitutionality of Proposition 13.
- *Butte County.* The board of supervisors now, for the first time in any county, has a majority of women — Jane Dolan, Hilda Wheeler and Bertha Mosley.

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GOVERNOR

Edmund G. Brown Jr. (D-Inc.)	**3,835,946**	**(56%)**
Theresa F. Dietrich (AIP)	66,105	(1%)
Evelle J. Younger (R)	2,491,414	(36%)
Ed Clark (Ind.)	374,047	(6%)
Marilyn Seals (P&F)	69,891	(1%)

Jerry Brown broke Earl Warren's record for victory margin by defeating Evelle Younger by more than 1.3 million votes. Yet how large a mandate did Brown get from the voters of California? Brown received only 56 percent of the vote. The electorate displayed its dislike of both major-party candidates by giving Libertarian Ed Clark some 374,000 votes. (Clark took 10 percent of the vote in Kern County, where his candidacy was legitimized through his endorsement by the Bakersfield daily newspaper.) Younger carried nine counties, all of them in rural or agricultural areas.

Yet, Brown's accomplishment is nothing to be taken lightly. On primary day, his popularity was so low he probably could have been defeated by Younger at that time. From that day on, however, Brown seemed to do everything right and Younger apparently did everything wrong. Younger couldn't convince the public that Brown was a big spender. Indeed, the public opinion polls showed that the typical Californian thought Brown, not Younger could best cope with the aftermath of Proposition 13.

Brown carried every urban county, even Orange, and he received 60 percent of the vote in most of the larger ones. He defeated Younger 58-36 in Los Angeles. Younger won a plurality in Colusa, Del Norte, Glenn, Imperial, Inyo, Modoc, Mono, Sutter and Tulare counties.

THE ODD COUPLE
HI! I'M MIKE CURB AND I'LL MAKE A GREAT LIEUTENANT GOVERNOR!
THIS IS A RECORDING... THIS IS A RECORDING... THIS IS A...
GOV. BROWN
Cartoon by Lou Grant, Oakland Tribune/Los Angeles Times Syndicate

Clark was listed on the ballot as an Independent. Had he been qualified as a Libertarian, his vote would have made the Libertarians an official party in California. Clark ran a vigorous campaign, advertising heavily in newspapers and buying some radio and television time. Had the Brown-Younger race been close, the defections to Clark might have affected the outcome.

Brown's victory margin, significantly higher than the 1.1 million spread between Warren and James Roosevelt in 1950, was bound to make an impression on voters in the rest of the country — a greater impression than on Californians, who recognize that Younger's weakness was more of a factor in the outcome than Brown's strength. Nevertheless, Brown could hardly have hoped for better rocket fuel than a 20-point margin in his chase after the presidency.

LIEUTENANT GOVERNOR

Mervyn Dymally (D-Inc.)	2,895,866	(43%)
Houston A. Myers (AIP)	178,856	(3%)
Jan B. Tucker (P&F)	160,041	(2%)
Mike Curb (R)	**3,447,996**	**(52%)**

The handwriting was on the wall for incumbent Mervyn Dymally in June when he received only 55 percent of the vote against two unknown primary opponents. He had been victimized by adverse articles in the *Los Angeles Times* and other newspapers. And he had not been welcomed into the Brown Administration. The message was out to the voters that somehow there was something not quite right about Dymally.

Cartoon by Steve Greenberg, *The Valley News*, Van Nuys

The incumbent knew from the start of the campaign that he was up against a show-business personality in Curb, plus an almost unlimited bankroll. He came out slashing against Curb, trying to take advantage of some of the controversies in Curb's career as a record producer, songwriter and all-around Hollywood impresario. The lowest point came when Dymally accused Curb of playing a major role in the production of a pornographic movie — a film that he later conceded was not obscene.

But Curb fell even lower, stating at one point that Dymally was a criminal certain to be indicted by the grand jury investigating corruption in Sacramento. This charge almost turned the campaign around. The entire Democratic establishment was outraged. Brown immediately clasped Dymally to his political bosom. Curb was on the defensive.

In the end, however, Curb's dollarpower carried the day, and the Republican won by 550,000 votes. Curb carried the big urban counties of the south — Los Angeles, Orange and San Diego. Dymally won in 12 counties, none of them by wide margins. The Dymally dozen: Alameda, Humboldt, Lassen, Plumas, San Francisco, Santa Clara, Santa Cruz, Shasta, Sierra, Siskiyou, Trinity and Yolo.

After the election, the *Los Angeles Times* editorialized that neither candidate deserved to win. The newspaper advised Curb to keep his nose clean in Sacramento and let Jerry Brown run the show without any interference from his stand-in.

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SECRETARY OF STATE

March Fong Eu (D-Inc.)	**4,085,677**	**(63%)**
David Wald (P&F)	269,621	(4%)
Jacob (Jay) Margosian (R)	1,950,720	(30%)
Valerie C. Seeman (AIP)	207,468	(3%)

Secretary of State March Fong Eu was one of three statewide Democratic officeholders with only token Republican opposition. She won by 2.1 million votes and carried every county (even San Diego, which she lost four years ago). The question now is which office the ambitious Eu will seek in four years, when she conceivably could run for governor, lieutenant governor or United State Senate.

Republican Jay Margosian only captured 28 percent of the vote in Contra Costa County, his own county. His sole attempt to embarrass Eu came when he announced that he had registered his cat to vote. The campaign cat caper may have backfired when Eu pointed out that her opponent could be prosecuted for the offense.

CONTROLLER

Edmon V. Kaiser (AIP)	137,526	(2%)
Elizabeth Cervantes Barron (P&F)	293,979	(5%)
James A. Ware (R)	2,095,229	(33%)
Kenneth Cory (D-Inc.)	**3,877,150**	**(61%)**

Who would have thought at almost any time during the past four years that Controller Ken Cory would win re-election by almost two million votes? He was under heavy attack for having received $500,000 in 1974 campaign funds from two wealthy Orange County men, Dr. Louis Cella and Richard O'Neill. Cella was later convicted for a series of crimes, and Cory's political fortunes looked dim indeed.

A classy Republican, Assemblyman Dixon Arnett, was the GOP establishment choice to challenge Cory. But Arnett was upset in the primary by a perennial candidate, James Ware, who had the advantage of being allied with Howard Jarvis and of not being an incumbent. Once Ware defeated Arnett, the Republican chances of unseating Cory went down the drain. Ware was not taken seriously by those who fund Republican campaigns, and Cory won without a struggle. Quite a few Democrats apparently expressed displeasure with Cory by voting for the Peace and Freedom Party candidate, who rolled up almost 300,000 votes. Cory took only slightly more than 50 percent of the vote in his home county of Orange, where the Cella-O'Neill funding operation has not been forgotten.

Cory will now have four years in which to polish his image for a possible 1978 run for governor.

TREASURER

Thomas M. Goodloe Jr. (AIP)	206,121	(3%)
Donald J. French (R)	2,265,676	(35%)
Jesse M. Unruh (D-Inc.)	**3,776,520**	**(59%)**
Lewis J. Shoreman (AIP)	179,801	(3%)

The last of the three Democratic easy riders was State Treasurer Jesse M. Unruh, who is one of the state's best known politicians. The former speaker of the Assembly took a majority in all 58 counties and won by 1.5 million votes against Donald French, a relatively unknown mortgage banker from Richmond.

The treasurer's office is hardly a test for the energetic Unruh, and he may try to move up the ladder in four years.

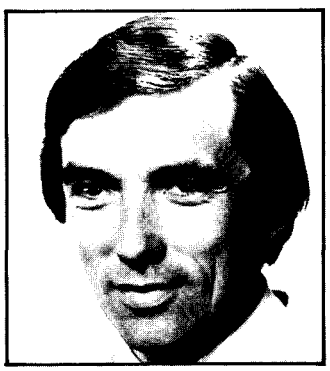
ATTORNEY GENERAL

Robert J. Evans (P&F)	118,361	(2%)
Yvonne Brathwaite Burke (D)	2,890,246	(44%)
George Deukmejian (R)	**3,510,895**	**(53%)**
Dallas Wendell Reid (AIP)	126,373	(2%)

Had Congresswoman Yvonne Brathwaite Burke run for lieutenant governor, she might well have won. But she had a great handicap running for attorney general: She was a Black woman with no law enforcement experience and a liberal voting record both in the Legislature and in Congress. She had far more charisma than her opponent, state Senator Corken George (Duke) Deukmejian, but that wasn't enough to match the Republican's law-and-order pitch. Deukemjian had a long record as the sponsor of death-penalty and other crime bills in the Legislature. Burke was on the defensive and was forced to adopt a talk-tough stance that didn't look natural.

As a result, Burke held her own only in the northern part of the state. Deukmejian built up large majorities in the urban south and won overall by 600,000 votes. Burke carried Alameda, Humboldt, Marin, Mendocino, San Francisco, Santa Clara, Santa Cruz, Solano, Sonoma and Yolo counties. Only in San Francisco did she obtain more than 60 percent of the vote.

Eu



Cory

Unruh

Deukmejian

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SUPREME COURT JUSTICES

Chief Justice Rose Elizabeth Bird		
Yes	**3,114,635**	**(52%)**
No	2,904,389	(48%)
Justice Wiley W. Manuel		
Yes	**3,038,133**	**(63%)**
No	1,798,545	(37%)
Justice Frank C. Newman		
Yes	**3,100,544**	**(64%)**
No	1,731,284	(36%)
Justice Frank K. Richardson		
Yes	**3,500,623**	**(73%)**
No	1,329,193	(28%)

Bird

Manuel

The most important item on the November 1978 ballot probably wasn't the election of a new governor or the fate of various ballot propositions. In terms of long-term significance, the most important decision made by California voters probably was whether or not to retain Rose Elizabeth Bird as chief justice of the state Supreme Court for the next eight years (to complete a 12-year term).

California Supreme Court justices have 12-year terms. The voters can either retain them or remove them; other candidates cannot run against incumbents. If an incumbent is removed, the successor will be nominated by the governor (subject to confirmation by the Commission on Judicial Appointments). Never before in California history has a major effort been launched to remove a justice.

Bird was under attack from several groups and for a variety of reasons. The law-and-order organization headed by Senator H. L. (Bill) Richardson claimed that Bird was too liberal — far out of step with the electorate on crime issues. Another organization, fronted by Mary Nimmo (daughter of state Senator Robert Nimmo), claimed that Bird was unqualified to be a justice because she had no prior judicial experience, because she was lacking as an administrator and because she was acting in dictatorial fashion. The Nimmo organization consisted mostly of Republicans and farmers who were unhappy with Bird's role in creating the state's agricultural labor law.

During the campaign, it became evident that there were those in the legal fraternity who opposed Bird. A letter was circulated against Bird by the wife of the former number two man in the court administrative office, Jon Smock. Supreme Court Justice Stanley Mosk refused to accept an award from the state Trial Lawyers Association because he said the organization had become involved in politics (supported Bird). It had been whispered for some time that there was great animosity between Mosk and Bird because Mosk, the former attorney general, had wanted to be appointed to her job.

Cases handed down by the court were used during the campaign in an effort to drum up popular opposition to Bird. On election eve, Bird enemies leaked a story to the *Los Angeles Times* that the court was holding back until after election a crime decision that would embarrass Bird. There were lawyers in Southern California who felt that the Governor was appointing too many Supreme Court justices from the north. (All three of Brown's high-court appointees have come from the San Francisco Bay area.) A rape case was used by opponents as an effort to break away feminist votes from Bird.

Bird refused to come out swinging, claiming that it would be improper for the chief justice to become embroiled in a political campaign. Lawyers, liberals, feminists and others came to her defense. Almost every major newspaper in California editorialized in her favor, pointing out that the integrity of the court system was at stake. They hammered away at one theme: Don't politicize the courts. The courts are not there to follow the will of the people but rather to hand down decisions based on the law, whether popular or unpopular labor law as a Brown cabinet member.

Bird's silence became a problem for her supporters. She was told it was being viewed as an expression of arrogance rather than a defense of the integrity of the judiciary. In the final week of the campaign Bird consented to a series of television interviews. They may have made the difference. She won by only 210,000 votes out of six million, or 3.4 percent. Her victory margin was provided by the urban counties — Alameda, Los Angeles, San Diego, San Francisco and Santa Clara. She carried 28 counties, losing 30. The opposition was especially strong in the small agricultural counties. But she carried Fresno and some other valley counties, where the farm-labor vote is substantial.

The campaign against Bird did not have much effect on her colleagues, Wiley Manuel, Frank Newman and Frank Richardson. Manuel and Newman are Brown appointees, while Richardson was the last Ronald Reagan nominee. Richardson won by 2.2 million, Newman by 1.4 million and Manuel by 1.2 million.

There were some strange voting patterns. Richardson, a conservative, lost Del Norte County, as did Newman and Bird. But Manuel carried the county. Manuel lost Calaveras, Colusa, San Joaquin and Sutter Counties. Newman carried all four.

The votes against all four justices were far higher than normal. There are those who feel that the attack on Bird is the beginning of a new era in national political history. Under this theory, the conservatives have all but abandoned hope of capturing the executive and legislative branches of government, so they have decided to concentrate on the most powerful branch of all — the judiciary. This can be done by ousting liberal judges and by gaining the votepower to prevent governors like Brown from appointing liberal justices in the first place.

During the next four years Brown may find it difficult to appoint Bird-like liberals because the Commission on Judicial Appointments in most cases will be composed of one liberal (Bird) and two conservatives, a presiding appellate judge (most of whom are conservative) and Attorney General-elect George Deukmejian. There is also the possibility that the opposition to Bird will be continued during the next eight years and another attempt will be made to oust her in 1986.

Newman

Richardson

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PROPOSITIONS

As California ballots go, this one was not especially strong in the proposition department. There were only eight ballot measures, and only a couple of them were especially controversial. The tobacco industry spent some $6 million successfully defeating Proposition 5, a smoking-control proposal. And there was a great deal of controversy over Proposition 6, an initiative designed to prevent homosexuals from teaching in the schools. There was little activity over Proposition 7, a death-penalty measure, because its passage was a foregone conclusion.

The way was almost cleared, however, for a major measure to appear on the ballot in June of 1980. Paul Gann, co-sponsor of Proposition 13, organized an outside-the-polls signature-gathering drive for a spending-limitation initiative, and he reported collecting 300,000 signatures.

Proposition 1 ($500 million in Cal-Vet bonds)

For	**3,827,535**	**(62%)**
Against	2,317,989	(38%)

The anti-spending mood of the voters apparently did not hurt the Cal-Vet farm-and-home-loan program, which is self-liquidating.

Proposition 2 (revising Public Utility Commission procedures)

For	2,132,068	(38%)
Against	**3,434,754**	**(62%)**

The voters apparently were not convinced by arguments that individual members of the PUC now exercise too much authority. If this measure had passed, individual commissioners would not have been able to issue tentative orders, subject to commission approval.

Proposition 3 (sale of surplus coastal property)

For	**3,189,321**	**(55%)**
Against	2,595,345	(45%)

Passage of this measure will allow the state to sell surplus coastal property bought for highway purposes to other state agencies for environmental purposes. The vote was generally in favor of the measure in large urban counties, but the smaller coastal and agricultural areas were against the proposition. It failed in 19 counties.

Proposition 4 (new criteria for recognition of chiropractic schools)

For	**4,370,666**	**(75%)**
Against	1,458,111	(25%)

The overwhelming passage of this measure may be surprising. The complex proposal was almost impossible for the lay voter to understand. But there was no organized opposition and most newspapers recommended approval.

Proposition 5 (regulation-of-smoking initiative)

For	3,083,732	(46%)
Against	**3,668,369**	**(54%)**

The tobacco industry paid a heavy price – almost $2 a vote – to defeat this measure, which would have made smoking illegal in specified areas of public and private buildings. Considering the money spent by the opposition, the loss by less than 600,000 votes should have been encouraging to the sponsors. The vote was fairly uniform throughout the state, without a single county giving the proposition a majority.

Proposition 6 (initiative requiring the firing of teachers who engage in homosexual activity or conduct)

For	2,788,765	(42%)
Against	**3,920,265**	**(58%)**

Several months ago, it appeared as though this anti-gay measure sponsored by state Senator John Briggs was going to pass. But as the campaign developed, not a single major California political figure joined the Bryant-Briggs crusade. Even former Governor Ronald Reagan came out against it. Somehow, the entire political establishment of the state decided that it didn't want to join hands with Briggs or get behind a measure that went beyond the bounds of decency and carried something of a hate message. The measure carried in 21 counties, with San Bernardino the largest. The no vote was especially heavy in Los Angeles, the San Francisco Bay area and campus communities.

Proposition 7 (initiative extending the death penalty to more types of murder)

For	**4,394,417**	**(72%)**
Against	1,727,510	(28%)

From the moment Senator John Briggs qualified this measure for the ballot, it was apparent that it would pass overwhelmingly. The only county that went no on 7 was San Francisco. The voters of Marin County, which houses San Quentin's gas chamber, was second with a 42 percent no vote.

Proposition 8 (amending the Jarvis-Gann initiative to provide relief for disaster victims)

For	**4,638,663**	**(78%)**
Against	1,274,581	(22%)

This measure swept every county except Colusa, where it lost 60-40. There was no general opposition to the measure, designed to close a loophole in Proposition 13, which would have penalized victims of natural disasters with higher property taxes.

BOARD OF EQUALIZATION

The Republicans gained a toehold on the Board of Equalization, which had previously been a Democratic monopoly. Ernie Dronenburg, an auditor in the board's San Diego office, defeated one of his bosses, incumbent Iris Sankey of San Diego. Sankey had been appointed to the post by Governor Brown following the death of long-time board member John Lynch of Fresno. In previous years, incumbency was an asset. This year it hurt Sankey in a district that has a distinct Republican flavor. Dronenburg is the first board employee ever elected to this office. The other three Democratic incumbents were re-elected. Each board member represents a district covering one-fourth of the state's population, and the fifth member is the state controller. The role of the board became more important this year following the passage of Proposition 13.

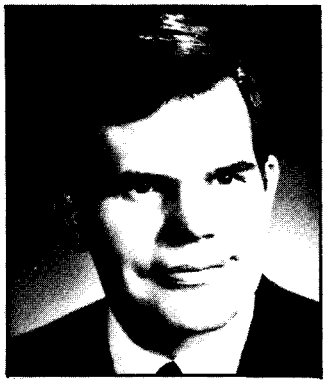
District 1 (56%D - 35%R)

Arklin (R)	627,647	(42%)
Reilly (D-Inc.)	**775,779**	**(52%)**
Radcliffe (P&F)	94,719	(6%)

This will probably be the last term for George Reilly, who has served on the board since 1939.

District 2 (50%D - 41%R)

Barber (AIP)	117,058	(7%)
Dronenburg (R)	**811,511**	**(50%)**
Sankey (D-Inc.)	700,879	(43%)



Dronenburg

Incumbent Iris Sankey barely escaped the primary. Republican Ernie Dronenburg should be able to hold this seat for some time because the district is favorable for a Republican.

District 3 (59%D - 32%R)

Graham (AIP)	175,763	(11%)
Bennett (D-Inc.)	**860,587**	**(52%)**
Quaife (P&F)	71,056	(4%)
Vandegriff (R)	537,640	(33%)

This was easy for the colorful liberal Bill Bennett, who would rather be running for a higher office, almost any higher office, and might tackle United States Senator Alan Cranston in the Democratic primary in 1980.

District 4 (63%D - 30%R)

Nevins (D-Inc.)	**859,874**	**(78%)**
Maggio (AIP)	118,607	(11%)
McCammon (P&F)	130,636	(12%)

The Republicans failed to come up with an opponent for the veteran Richard Nevins, who has the safest board seat in the state.

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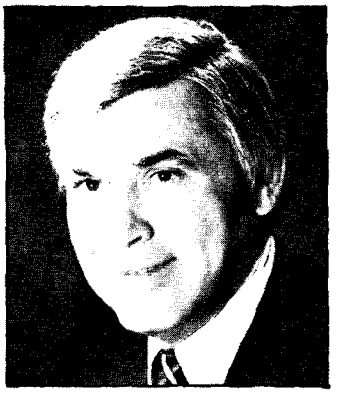
CONGRESSIONAL DELEGATION

This was an especially good year for the Republicans in hotly contested congressional elections. The GOP took aim at three Democratic incumbents and beat them all — John McFall of Manteca, John Krebs of Fresno and Mark Hannaford of Lakewood. The Republicans also held the marginal seat vacated by the veteran Del Clawson. McFall and Hannaford have been endangered since early in the campaign season, but the GOP mustered a late drive to unseat the feisty Krebs. The delegation will retain a Democratic majority, 26-17, down from the current 29-14

Shumway



Ryan

District 1 (57%D-35%R)
Taylor (R) 85,195 (41%)
Johnson (D-Inc.) 24,530 (59%)
This is a poor showing for the veteran Bizz Johnson, who defeated the same opponent by a much larger margin two years ago. Johnson may not run again.

District 2 (57%D-34%R)
Bork (D) 98,925 (45%)
Clausen (R-Inc.) 13,623 (52%)
Sutley (P&F) 6,046 (3%)
Don Clauser usually wins by a larger margin. Democrat Norma Bork's showing may encourage her to try again in 1980.

District 3 (61%D-31%R)
Matsui (D) 104,488 (53%)
Smoley (R) 90,991 (47%)
Republican Sandra Smoley, a Sacramento County supervisor, made a valiant showing in this district represented by retiring Democrat John Moss. Sacramento Councilman Bob Matsui should hold this seat for many years.

District 4 (63%D-28%R)
Fazio (D) 37,405 (55%)
Hime (R) 70,357 (45%)
The Republicans spent heavily trying to take this seat held by outgoing Democrat Bob Leggett. But Assemblyman Vic Fazio's popularity was too much to overcome.

District 5 (58%D-29%R)
John Burton 105,110 (67%) (D-Inc.)
Skore (R) 52,075 (33%)
This was a landslide for the junior member of the Burton team, John.

District 6 (68%D-20%R)
Phil Burton 81,140 (68%) (D-Inc.)
Heaps (AIP) 4,390 (4%)
Spinosa (R) 33,101 (28%)
This was about par for the senior member of the Burton pair, Phil.

District 7 (59%D-33%R)
Gordon (R) 58,047 (34%)
Miller 109,172 (63%) (D-Inc.)
Stanley (AIP) 4,829 (3%)
A conservative trend in Contra Costa County was no problem for George Miller.

District 8 (63%D-26%R)
Dellums 94,433 (57%) (D-Inc.)
Hughes (R) 70,090 (43%)
This is not an especially good showing for Ron Dellums of Berkeley, one of the more outspoken members of the delegation.

District 9 (64%D-28%R)
Phillips (P&F) 5,534 (4%)
Allen (R) 40,942 (31%)
Stark (D-Inc.) 87,865 (65%)
Pete Stark hasn't had a serious challenge since he first won this seat.

District 10 (64%D-25%R)
Edwards 84,103 (67%) (D-Inc.)
Hansen (R) 41,152 (33%)
The veteran Don Edwards is an institution.

District 11 (58%D-33%R)
Kudrovzeff (AIP) 5,984 (4%)
Welch (R) 54,267 (36%)
Ryan (D-Inc.) 92,135 (61%)
The GOP will have a special-election shot at this seat as a result of the murder of Leo Ryan in Guyana.

District 12 (52%D-38%R)
Boylan (AIP) 5,550 (4%)
Fumino (P&F) 3,007 (2%)
Olsen (D) 34,190 (22%)
McCloskey (R-Inc.) 115,990 (73%)
Maverick Republican Pete McCloskey won this time virtually by acclamation.

District 13 (53%D-37%R)
Goldsborough (P&F) 5,206 (3%)
O'Keefe (R) 68,560 (40%)
Mineta (D-Inc.) 99,899 (58%)
Master politician Norman Mineta usually runs far ahead of registration, but his margin was cut this year.

District 14 (57%D-35%R)
Waldron (AIP) 7,207 (4%)
McFall (D-Inc.) 85,113 (45%)
Shumway (R) 95,454 (51%)
Supervisor Norm Shumway of San Joaquin County won this seat for only one reason – because the incumbent John McFall was involved in the Koreagate scandal. Even so, McFall's years of service to his constituents almost overcame that handicap. Shumway could hold this seat for many years.

District 15 (63%D-30%R)
Patterakis (R) 49,380 (40%)
Coelho (D) 74,631 (60%)
Democrat Tony Coelho had an easy time taking the seat of his mentor, the retiring old pro, B. F. Sisk.

District 16 (54%D-35%R)
Panetta 102,932 (61%) (D-Inc.)
Seastrand (R) 64,704 (39%)
At one time, the Republicans thought they could win with the conservative Eric Seastrand. But Democrat Leon Panetta is one of the sharpest members of the delegation, and he received a big boost from his Republican colleague, Pete McCloskey.

District 17 (57%D-36%R)
Pashayan (R) 80,642 (55%)
Krebs (D-Inc.) 67,246 (45%)
This was the biggest surprise among the congressional races. Incumbent John Krebs was considered safe until Chip Pashayan launched a strong media attack on Krebs, charging the incumbent with being a wild spender, among other things. Krebs ran a poor campaign, apparently not recognizing the danger signals. Pashayan, 37, will probably receive a stiff challenge in 1980.

District 18 (56%D-38%R)
Thomas (R) 84,437 (59%)
Sogge (D) 58,245 (41%)
Assemblyman Bill Thomas was given the Republican nomination following the death of incumbent Bill Ketchum. Democrat Bob Sogge, aid to state Senator Walter Stiern, was expected to do better.

District 19 (53%D-36%R)
Lagomarsino (R-Inc.) 121,628 (72%)
Takei (P&F) 6,795 (4%)
Zamos (D) 41,232 (24%)
It has been many a year since Bob Lagomarsino has been tested.

District 20 (49%D-43%R)
Lear (D) 64,954 (34%)
Goldwater (R-Inc.) 127,918 (66%)
This was a rematch, and Barry Goldwater Jr. won by about the same margin as two years ago against Pat Lear.

District 21 (62%D-31%R)
Walsh (R) 43,745 (36%)
Corman (D-Inc.) 72,776 (60%)
Hill (P&F) 5,635 (5%)
If press releases could win elections, Republican Rod Walsh would be heading for Congress. The paper blizzard didn't dent the veteran Jim Corman.

District 22 (45%D-48%R)
Moorhead (R-Inc.) 97,263 (64%)
Henry (D) 53,536 (36%)
The drab Carlos Moorhead has a

Key to statistics

Registration statistics do not include minor parties or those who decline to state an affiliation.

Election results are from the semi-official canvass compiled by the Secretary of State's office.

Names of winners are in **bold-face** type.

Abbreviations: **Inc.** for Incumbent, **D** for Democratic, **R** for Republican, **P&F** for Peace and Freedom, **AIP** for American Independent, **L** for Libertarian, **Ind.** for Independent.

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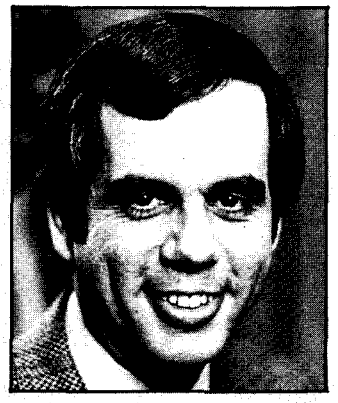
Matsui



Coelho

Fazio

home in Congress so long as reapportionment doesn't alter the complexion of his district.

District 23 (63%D - 30%R)
Beilenson 115,109 (66%) (D-Inc.)
Barbara (R) 60,046 (34%)
This is a strong showing for Democrat Tony Beilenson.

District 24 (62%D - 29%R)
Peters (P&F) 6,331 (5%)
Waxman 83,540 (63%) (D-Inc.)
Schaefer (R) 43,012 (32%)
Re-election is automatic for Henry Waxman.

District 25 (71%D - 21%R)
Watson (R) 21,681 (32%)
Roybal 45,188 (68%) (D-Inc.)
Despite being reprimanded by the House of Representatives for Koreagate involvement, the veteran Ed Roybal won with ease.

District 26 (47%D - 47%R)
Rousellot 110,870 (R-Inc.)
The veteran John Rousellot has made many friends among Democrats in his district.

District 27 (49%D - 42%R)
Peck (D) 84,364 (49%)
Dornan 86,904 (51%) (R-Inc.)
As expected, this was one of the closest races in the state. The so-called "star wars" battle was won by the incumbent, colorful Robert Dornan, over Carey Peck, son of actor Gregory Peck. This district has a GOP history, but Dornan is a tempting target.

District 28 (77%D - 17%R)
Dixon (D) 95,531
Assemblyman Julian Dixon won this seat in a tough primary race. He will replace Congresswoman Yvonne Burke, who lost a contest for attorney general.

District 29 (85%D - 11%R)
Fields (R) 11,251 (15%)
Hawkins 64,333 (85%) (D-Inc.)
Augustus Hawkins keeps rolling along like old man river.

District 30 (72%D - 22%R)
Danielson 65,419 (71%) (D-Inc.)
Ares (R) 26,090 (29%)
This election was even less sweat than usual for Democrat George Danielson, who was more concerned with helping some former aides get elected.

District 31 (75%D - 19%R)
Grimshaw (R) 26,024 (32%)
Wilson 54,891 (68%) (D-Inc.)
This was too safe a Democratic district for Charles Wilson to lose, despite his reprimand for Koreagate involvement. He could be beaten in the 1980 primary.

District 32 (64%D - 29%R)
Bader (AIP) 6,270 (6%)
Mathison (R) 22,714 (22%)
Anderson 72,893 (72%) (D-Inc.)
Former Lieutenant Governor Glenn Anderson wins every two years like a robot.

District 33 (55%D - 39%R)
Grisham (R) 78,233 (56%)
Kazarian (D) 61,742 (44%)
There was a battle royal for the seat of retiring Republican Del Clawson, but neither candidate ran an especially good campaign. La Mirada Councilman Wayne Grisham held the seat for the GOP.

District 34 (54%D - 39%R)
Lungren (R) 89,189 (54%)
Hannaford (D-Inc.) 72,636 (44%)
Stafford (AIP) 4,341 (3%)
Long Beach attorney Dan Lungren came within a whisker of defeating Democrat Mark Hannaford two years ago. Lungren didn't leave much room for doubt in the rematch.

District 35 (53%D - 41%R)
Lloyd (D-Inc.) 79,599 (54%)
Dreier (R) 67,730 (46%)
Republicans were expecting college administrator David Dreier to run better against Jim Lloyd, who has kept most Democrats loyal in this marginal district.

District 36 (61%D - 31%R)
Brown 80,191 (63%) (D-Inc.)
Carmody (R) 47,269 (37%)
The veteran George Brown is coasting to victory after victory.

District 37 (49%D - 43%R)
Lewis (R) 106,085 (62%)
Wahl (AIP) 6,516 (4%)
Corcoran (D) 59,902 (35%)
This was an impressive victory for Assemblyman Jerry Lewis, who will replace the retiring Republican Shirley Pettis.

District 38 (56%D - 35%R)
Patterson 74,426 (59%) (D-Inc.)
Goedeke (R) 52,437 (41%)
Deep in the heart of Orange, Democrat Jerry Patterson of Buena Park wins like gangbusters.

District 39 (44%D - 48%R)
Farris (D) 63,115 (36%)
Dannemeyer 110,513 (64%) (R)
The seat, being vacated by Republican Charles Wiggins, was easy pickings for Assemblyman Bill Dannemeyer.

District 40 (39%D - 51%R)
Badham 144,846 (66%) (R-Inc.)
McGuy (D) 75,074 (34%)
All Bob Badham need worry about is a primary challenge in 1980 from newly elected state Senator John Schmitz, his arch-rival.

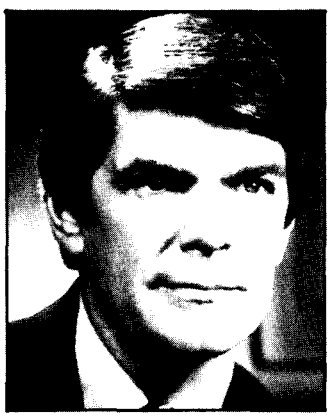
District 41 (49%D - 39%R)
Golden (D) 76,113 (42%)
Wilson 105,402 (58%) (R-Inc.)
Democrat King Golden has made a habit of running against Bob Wilson. Golden lost ground this year but vows he'll try again.

District 42 (58%D - 30%R)
Mattera (R) 29,759 (26%)
Van Deerlin 83,572 (74%) (D-Inc.)
Democrat Lionel Van Deerlin has been making a habit of runaways.

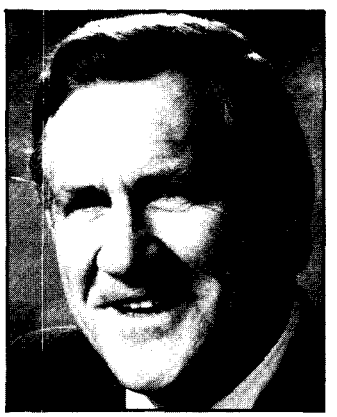
District 43 (45%D - 45%R)
Burgener 164,417 (69%) (R-Inc.)
Brooks (D) 75,277 (31%)
For veteran Clair Burgener or any Republican nominee, this large district is duck soup.

Pashayan

Lungren



Lewis



Dannemeyer

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STATE SENATE

This was supposed to be the year of Republican opportunity in the State Senate. Of the 20 seats up for grabs, 17 were held by Democrats, several of them considered vulnerable. But the GOP failed to take advantage of the opportunity. The Senate for the next two years apparently will continue to have roughly the same partisan makeup of 26 Democrats and 14 Republicans. There are a couple of situations that could alter that lineup. Democrat Arlen Gregorio of San Mateo was locked in a photo finish with challenger Marz Garcia, and the outcome may not be known for weeks. Garcia was 90 votes ahead before the recount. And there will be a vacancy in the Long Beach district represented by Republican George Deukmejian, who was elected attorney general. The leading contender for that seat had been Assemblyman Fred Chel, but he was defeated in his run for re-election.

Among the more hotly contested Senate races, the Republicans unseated one incumbent, John Dunlap of Napa, and the Democrats took the seat held by a retiring Republican, Peter Behr. Gregorio most likely will lose his seat to Garcia, and former Congressman and Senator John Schmitz held an Orange County seat for the GOP.

The overall outcome was a disappointment for the Republican Party. It finds itself in a defensive position for 1980, when 11 GOP and only 9 Democratic incumbents face re-election.

District 2 (36%D - 33%R)
Giacomini (R) 98,480 (45%)
Keene (D) 110,203 (51%)
Wren (P&F) 9,535 (4%)
With the retirement of liberal Republican Peter Behr, both parties threw all their might into this district. Both candidates were experienced and attractive, and Democrat Barry Keene overcame the advantage of Supervisor Gary Giacomini in his home county of Marin by piling up large victory margins in Lake and Mendocino counties.

District 4 (39%D - 32%R)
Nielsen (R) 107,960 (52%)
Dunlap (D-Inc.) 93,886 (46%)
Hawkes (P&F) 4,664 (2%)
The Republicans convinced voters of this part-agricultural district that Democrat John Dunlap of Napa was too liberal for the area. Nielsen, a pesticide firm executive, made by far the more attractive television candidate. Dunlap was hurt by a Howard Jarvis computer letter.

District 6 (64%D - 27%R)
Foran (D-Inc.) 95,794 (68%)
Woods (R) 44,868 (32%)
This was an easy ride for the veteran John Francis Foran of San Francisco.

District 8 (65%D - 26%R)
Colglazier (R) 39,014 (29%)
Holmdahl (D-Inc.) 94,867 (71%)
Veteran John Holmdahl wins these years without campaigning.

District 10 (53%D - 37%R)
Garcia (R) 88,248 (50%)
Gregorio (D-Inc.) 88,158 (50%)
Former bank executive Marz Garcia opened the vaults in his attempt to defeat maverick Democrat Arlen Gregorio, who ran a modest, low-key campaign. The vote tally changed daily, and a recount appeared likely. Assuming Garcia wins, the Senate count will be 25D, 14R, 1 vacancy.

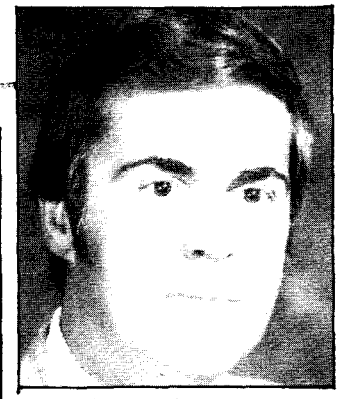
District 12 (53%D - 38%R)
Bradley (R) 60,933 (39%)
Smith (D-Inc.) 96,051 (61%)
Democrat Jerry Smith unseated conservative Clark L. Bradley four years ago. Smith widened his margin in the rematch.

District 14 (64%D - 30%R)
Kessler (R) 34,817 (28%)
Zenovich (D-Inc.) 88,548 (72%)
This district might be the site of a hot special election if Governor Brown gives George Zenovich a judgeship, as rumored.

District 16 (55%D - 38%R)
Snyder (R) 63,217 (41%)
Stiern (D-Inc.) 91,524 (59%)
In conservative Kern County, heart of this district, Democrat Walter Stiern keeps piling up impressive victories despite general Republican good health in the area. Stiern has never lost sight of his constituency.

District 18 (52%D - 37%R)
Wallenbrock (R) 60,515 (34%)
Rains (D-Inc.) 116,863 (66%)
Republicans had hoped to roll out the howitzers against Democratic caucus chairman Omer Rains. Behind businessman Wally Wallenbrock, the only weapons were water pistols.

Keene



Nielsen

District 20 (62%D - 31%R)
Lucas (P&F) 6,853 (5%)
Kennedy (R) 36,414 (27%)
Robbins (D-Inc.) 91,641 (68%)
Within political circles, there is a great deal of grumbling about ambitious Alan Robbins, but it isn't reflected in the voting booth.

District 22 (62%D - 30%R)
Kelly (R) 59,082 (31%)
Sieroty (D-Inc.) 130,817 (69%)
Democrat Alan Sieroty had to work to win this seat in a special election. He could have sat in a rocking chair to hold it.

District 24 (71%D - 20%R)
Garcia (D-Inc.) 50,373 (69%)
Weaver (R) 18,854 (26%)
McGlachlin (P&F) 3,506 (5%)
This is about how Democrat Alex Garcia usually wins in this low-turnout district.

District 26 (68%D - 26%R)
Duncan (R) 38,283 (35%)
Montoya (D) 70,468 (65%)
Assemblyman Joe Montoya won this seat in the primary by defeating the veteran Al Song.

District 28 (74%D - 20%R)
Dills (D-Inc.) 76,206 (86%)
Hennessy (AIP) 12,160 (14%)
The 68-year-old Ralph Dills ought to consider himself lucky that he had no Republican opponent. The GOP pulled some upsets in the general area he represents.

District 30 (75%D - 19%R)
Watson (D) 90,054 (69%)
Moody (R) 40,464 (31%)
Diane Edith Watson, a member of the Los Angeles city school board, will become the first Black woman in the history of the Senate (and the second woman).

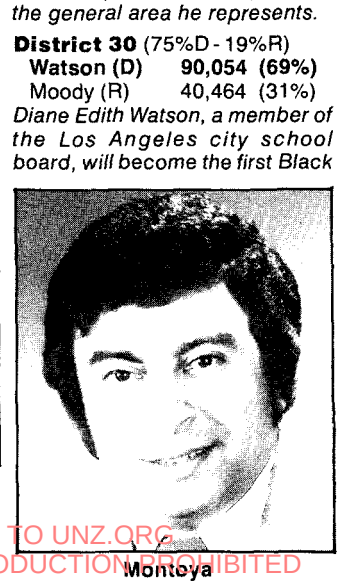
District 32 (59%D - 33%R)
Ayala (D-Inc.) 79,623 (62%)
Ridley (R) 48,272 (38%)
Democrat Ruben Ayala seems to have entrenched himself.

District 34 (52%D - 40%R)
Presley (D-Inc.) 100,472 (56%)
Stanton (R) 80,089 (44%)
The Republicans mounted a decent campaign against Democrat Robert Presley, but the old undersheriff is a hard man to bring down.

District 36 (40%D - 51%R)
Bergland (L) 14,370 (6%)
Cordova (D) 110,814 (45%)
Schmitz (R) 122,687 (49%)
This was probably the most interesting race in the state, if only because a Democrat, Assemblyman Ron Cordova, was threatening to take the most Republican seat in the state, one being abandoned by former GOP state Chairman Dennis Carpenter. Cordova had a chance because the Republican nominee was the ultra-conservative John Schmitz, former congressman, senator and American Independent Party candidate for president. Party loyalty gave the seat to Schmitz.

District 38 (44%D - 45%R)
Craven (R) 157,720 (63%)
Harmon (D) 93,098 (37%)
The retirement of Senator John Stull gave Assemblyman Bill Craven this seat for the filing.

District 40 (57%D - 32%R)
Mills (D-Inc.) 91,904 (71%)
Rickman (R) 36,779 (29%)
This is an extraordinary victory even for Senate leader James Mills, who has been running far ahead of registration in recent elections.



Montoya

Craven

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ASSEMBLY

Assembly Speaker Leo T. McCarthy no longer has the luxury of a two-thirds majority in the Legislature's Lower House. The Republicans, who were down 57-23, made significant gains and now trail by a margin of 50-30. This means that on major measures, such as the state budget, the Democrats will not be able to get their way without getting at least a few Republican votes. The GOP now will have real bargaining power in the Assembly, not just the right to blow off steam.

The Republicans lost only one seat — that vacated by Ken Maddy of Fresno. The district was heavily Democratic and Maddy had held it only by the power of personal popularity. The GOP captured two seats being vacated by Democrats Eugene Gualco of Sacramento and Ron Cordova of El Toro. The Cordova seat was expected to go Republican, but Gualco's district had a Democratic tradition. Six Democratic incumbents were beaten — Michael Wornum of Marin County, Larry Chimbole of Palmdale, Fred Chel of Long Beach, Vincent Thomas of San Pedro, Jim Keysor of Sun Valley, and Tom Suitt of Palm Springs. Suitt, Wornum and Chimbole were known to be in trouble. Keysor and Thomas were expected to win again but not by much, and the defeat of Chel came as an almost total surprise. Chel, in fact, was considered almost a cinch to replace the new attorney general, George Deukmejian, in the Senate.

District 1 (58%D - 34%R)
Statham (R-Inc.) 93,027
Stan Statham won re-election the easy way, unusual for a freshman.

District 2 (59%D - 31%R)
Bosco (D) 61,256 (56%)
Dryden (R) 41,870 (38%)
Meza (P&F) 5,831 (5%)
This was expected to be a very tight race to replace Democrat Barry Keene, who moves up to the Senate. But attorney Doug Bosco of Occidental made it look like a cinch.

District 3 (55%D - 37%R)
Pharris (D) 36,280 (35%)
Chappie (R-Inc.) 68,895 (66%)
After a couple of close calls, Republican Eugene Chappie finally won convincingly.

District 4 (61%D - 30%R)
Ketelson (R) 34,432 (38%)
Hannigan (D) 57,211 (62%)
Solano County Supervisor Tom Hannigan won this seat in the primary. He succeeds Democrat Vic Fazio, who is headed for Congress.

District 5 (60%D - 31%R)
Franklin (D) 35,202 (38%)
Moorhead (R) 57,001 (62%)
This district had a Democratic incumbent, Eugene Gualco, and a Democratic tradition. But Republican Jean Moorhead, a nursing instructor, won by a wide margin because she received the support of both Sacramento daily newspapers, and many Democrats found businessman Ben Franklin hard to take.

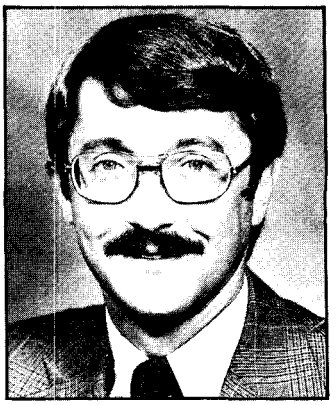
District 6 (62%D - 30%R)
Greene (D-Inc.) 59,563 (63%)
Benvenuti (R) 35,647 (37%)
The veteran Leroy Greene survived a rough primary, and that was the whole ball game.

District 7 (56%D - 36%R)
Waters (D-Inc.) 75,684
Democrat Norman Waters is another freshman with no opposition the second time around the track.

Calvo

Hayden

Filante


Naylor

District 8 (57%D - 34%R)
Gunn (P&F) 5,689 (5%)
Gage (D-Inc.) 60,988 (57%)
Burney (R) 39,708 (37%)
Democrat Mike Gage didn't feel the shock waves from the defeat of his former boss, Senator John Dunlap.

District 9 (53%D - 35%R)
Filante (R) 54,892 (52%)
Dias (P&F) 5,197 (5%)
Wornum (D-Inc.) 46,184 (44%)
Democrat Michael Wornum has been living dangerously in this marginal district for several years. Bill Filante, a physician and water district member, was able to ride a slight GOP trend to victory.

District 10 (53%D - 39%R)
Boatwright (D-Inc.) 80,923
The Republicans failed to qualify a candidate against controversial Dan Boatwright.

District 11 (68%D - 25%R)
Eichar (R) 18,343 (24%)
Knox (D-Inc.) 52,625 (70%)
Ward (AIP) 4,339 (6%)
Speaker pro Tempore John Knox of Richmond is now the senior member of the Assembly. Knox is 54 and has served in the House since 1960.

District 12 (57%D - 32%R)
Bates (D-Inc.) 59,292 (54%)
Niemann (R) 46,667 (43%)
Condit (P&F) 3,047 (3%)
The Republicans mounted a full-scale attack on liberal Tom Bates, but the Berkeley-Oakland area isn't about to elect a Republican.

District 13 (71%D - 18%R)
Roust (R) 13,852 (25%)
Harris (D) 40,737 (75%)
Attorney Elihu Harris won this seat, vacated by John Miller, in a bitter three-way primary fight.

District 14 (71%D - 21%R)
Lockyer (D-Inc.) 45,327 (75%)
Clark (R) 13,400 (22%)
Sargis (P&F) 2,004 (3%)
Wily Willie Lockyer is well entrenched in this Oakland-San Leandro district.

District 15 (60%D - 30%R)
Mori (D-Inc.) 49,834 (66%)
Redgwick (R) 25,824 (34%)
Democrat Floyd Mori is winning every two years with a minimum of effort.

District 16 (68%D - 17%R)
Marlow (P&F) 4,031 (8%)
Agnos (D-Inc.) 37,642 (75%)
Tripp (R) 8,494 (17%)
Art Agnos won by an even larger margin than his mentor, Assembly Speaker Leo McCarthy.

District 17 (63%D - 22%R)
Brown (D-Inc.) 43,268 (63%)
Henderson (R) 25,367 (37%)
Republican Mike Henderson acted as though he had a chance, gave Willie Brown a more interesting race than usual.

District 18 (68%D - 24%R)
Faulkner (R) 17,905 (26%)
Walters (AIP) 3,109 (5%)
McCarthy (D-Inc.) 47,317 (69%)
Speaker Leo McCarthy has bigger problems to worry about than a routine re-election in his district.

District 19 (61%D - 31%R)
Papan (D-Inc.) 45,780 (64%)
Kerska (AIP) 4,993 (7%)
Adams (R) 21,361 (30%)
The Republicans made a slight inroad into Democrat Lou Papan's 1976 victory margin.

District 20 (51%D - 40%R)
Naylor (R) 49,454 (52%)
Cobey (D) 45,050 (48%)
This was one of the most hard-fought battles of the year. The seat was vacated by Republican Dixon Arnett, who lost a primary contest for controller. Both candidates were attorneys, and the GOP complexion of the area prevailed for Bob Naylor over Chris Cobey.

District 21 (55%D - 33%R)
Morris (R) 30,608 (46%)
Calvo (D-Inc.) 35,600 (54%)
The GOP thought Councilman Greg Morris of Sunnyvale had a chance against Democrat Vic Calvo and came reasonably

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Perino

Rogers

Nolan

Ivers

close to pulling an upset.

District 22 (43%D - 44%R)
Kernaghan (AIP) 3,475 (4%)
Hammer (D) 38,654 (43%)
Hayden (R-Inc.) 47,098 (53%)
For Republican Dick Hayden, this was a close call. If the Democratic registration pick up, he could be in trouble in a few years.

District 23 (61%D - 28%R)
Knapp (R) 20,479 (38%)
Vasconcellos (D-Inc.) 34,026 (62%)
Democrat John Vasconcellos rebounded strongly after a close call two years ago.

District 24 (57%D - 34%R)
Egeland (D-Inc.) 60,066 (66%)
Sandoval (R) 30,385 (34%)
This is a better-than-usual showing for Democrat Leona Egeland.

District 25 (63%D - 26%R)
Bocchini (R) 24,877 (35%)
McAlister (D-Inc.) 46,992 (65%)
Conservative Democrat Alister McAlister has no trouble in this Alameda-Santa Clara district.

District 26 (62%D - 32%R)
Perino (D-Inc.) 36,726 (51%)
Carter (R) 35,145 (49%)
Republican Doug Carter, who never seems to stop running, came within an eyelash of defeating Democrat Carmen Perino. Will anyone bet against Carter trying again?

District 27 (61%D - 32%R)
Thurman (D-Inc.) 52,621
No one in Modesto seems to know or care whether John Thurman is a Democrat or a Republican.

District 28 (55%D - 33%R)
Wiens (R) 30,251 (31%)
Mello (D-Inc.) 56,207 (59%)
Zaharakis (P&F) 9,550 (10%)
Democrat Henry Mello solidified his grasp on this Monterey Bay district, which he won two years ago by 11,000 votes.

District 29 (53%D - 38%R)
Kramer (D) 18,843 (24%)
Hallett (R-Inc.) 60,947 (76%)
This victory by Republican Carol Hallett was one of the most impressive in the state.

District 30 (66%D - 27%R)
Diener (R) 23,028 (36%)
Costa (D) 40,580 (64%)
Republican Octavia Diener spent a small fortune trying to hold Ken Maddy's seat for the GOP. But Democrat Jim Costa was too good a campaigner and the district was too Democratic.

District 31 (57%D - 37%R)
Lehman (D-Inc.) 50,065 (57%)
Marsella (R) 37,129 (43%)
Richard Lehman's margin in this Fresno district may encourage the GOP to take a long look at him in 1980.

District 32 (56%D - 36%R)
Duffy (R-Inc.) 46,320 (73%)
Rocha (D) 17,462 (27%)
The Democrats let Gordon Duffy win without a struggle.

District 33 (57%D - 37%R)
McTaggart (D) 23,903 (36%)
Rogers (R) 42,311 (64%)
The death of Congressman Bill Ketchum put Assemblyman Bill Thomas in Congress and Bakersfield Councilman Don Rogers in the Assembly. A strong Democratic candidate might have emerged had the opening occurred prior to the primary.

District 34 (53%D - 39%R)
Wyman (R) 43,000 (54%)
Chimbole (D-Inc.) 36,143 (46%)
Democrat Larry Chimbole nearly lost to rancher-attorney Phil Wyman of Tehachapi two years ago. This time Wyman almost made it look easy.

District 35 (51%D - 36%R)
Holmdahl (R) 38,399 (41%)
Hart (D-Inc.) 55,354 (59%)
Gary Hart makes this district look more Democratic than it is.

District 36 (54%D - 37%R)
Albrecht (D) 27,989 (33%)
Imbrecht (R-Inc.) 56,346 (67%)
Young Chuck Imbrecht solidified his grasp on this district with this impressive victory.

District 37 (50%D - 42%R)
Goldman (D) 24,875 (29%)
Cline (R-Inc.) 61,643 (71%)
Democrat Hal Goldman disappeared during the campaign season, giving Republican Bob Cline a rocking-chair victory.

District 38 (49%D - 43%R)
Priolo (R-Inc.) 68,988 (67%)
Bollinger (D) 33,980 (33%)
Assembly staffer Roger Bollinger gave one of his bosses, Republican leader Paul Priolo, a bigger victory margin than usual.

District 39 (62%D - 31%R)
Engel (P&F) 2,531 (4%)
Keysor (D-Inc.) 28,922 (47%)
Hayes (R) 30,070 (49%)
Democrat Jim Keysor was one of the surprise losers, falling victim to businessman Robert Hayes, who might have trouble holding the seat. Keysor has made some political blunders, but he still might have won without a Peace and Freedom candidate. School busing was a key issue in the campaign.

District 40 (62%D - 31%R)
Lefevre (R) 24,693 (34%)
Bane (D-Inc.) 47,946 (66%)
The Republicans were unable to dent the veteran Tom Bane, even though they caught him using deceptive campaign literature.

District 41 (46%D - 48%R)
Nolan (R) 49,958 (68%)
Triphon (D) 23,968 (32%)
Attorney Patrick Nolan of Glendale won this seat, replacing Republican Mike Antonovich, at the June primary. This is GOP country all the way.

District 42 (44%D - 49%R)
Ogawa (Ind.) 2,364 (3%)
Tejeda (D) 35,891 (41%)
Harper (AIP) 1,209 (1%)
Ivers (R) 47,236 (55%)
Businessman Bill Ivers should have carried this solid Republican district by a wider margin, but he faced a stong opponent in Judy Tejeda. This is the seat being vacated by the retiring veteran Frank Lanterman.

District 43 (61%D - 32%R)
Berman (D-Inc.) 79,278
Even with an opponent, Majority Leader Howard Berman would have concentrated on helping fellow Democrats.

District 44 (64%D - 27%R)
Levine (D-Inc.) 58,518 (69%)
Barlow (R) 26,463 (31%)
Mel Levine won this seat in a special election, could hold it for many years unless he decides to conquer larger domains.

District 45 (65%D - 26%R)
Wheelock (R) 23,933 (29%)
Rosenthal (D-Inc.) 57,167 (68%)
Hupf (P&F) 2,951 (4%)
Only age will catch up with Democrat Herschel Rosenthal, 60.

Hallett

Felando

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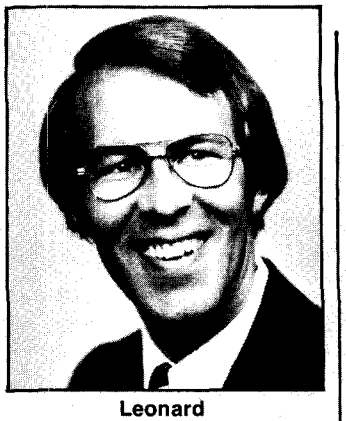
Brown

Elder

Mountjoy



Leonard

District 46 (60%D - 20%R)
Lovett (R) 13,876 (30%)
Roos (D-Inc.) 32,863 (70%)
There are few sharper young politicians than Democrat Mike Roos.

District 47 (83%D - 12%R)
Mayor (R) 5,137 (15%)
Hughes (D-Inc.) 29,685 (85%)
November elections are a joke in this district. Teresa Hughes need fear only a primary contest.

District 48 (84%D - 12%R)
Faulkner (R) 7,028 (19%)
Waters (D-Inc.) 30,010 (81%)
Democrat Maxine Waters is a rising star in the Legislature.

District 49 (75%D - 19%R)
Gottlieb (R) 20,490 (29%)
Moore (D) 49,268 (71%)
Julian Dixon abandoned this district to run for Congress, and community college trustee Gwen Moore wrapped it up in June.

District 50 (75%D - 20%R)
Allen (R) 16,409 (29%)
Tucker (D-Inc.) 40,484 (71%)
This is about par for Democrat Curtis Tucker of Inglewood.

District 51 (45%D - 47%R)
Ryan (R-Inc.) 56,507 (68%)
Helgevold (D) 26,655 (32%)
Republican Marilyn Ryan probably can keep this seat as long as she wants it.

District 52 (60%D - 32%R)
Felando (R) 33,219 (55%)
Thomas (D-Inc.) 26,924 (45%)
The Republicans decided that most voters in the San Pedro area thought 70-year-old Vincent Thomas was a bridge, not a person. They put together a strong late campaign behind oral surgeon Gerald Felando and retired the dean of the Legislature. Thomas had served since 1941. The Democrats will probably try hard to get the seat back in 1980.

District 53 (70%D - 23%R)
Bannai (R-Inc.) 29,326 (57%)
Wear (D) 22,410 (43%)
Democrats look at the registration statistics and think Republican Paul Bannai should be beaten. Bannai has squeezed through in the past, this time lengthened his lead over Cindy Wear.

District 54 (79%D - 16%R)
Vicencia (D-Inc.) 31,439 (78%)
Coxson (R) 8,720 (22%)
Former lobbyist Frank Vicencia keeps rolling up impressive margins of victory.

District 55 (67%D - 24%R)
Feliz (R) 18,107 (41%)
Alatorre (D-Inc.) 26,632 (60%)
This was a poor showing for Democrat Richard Alatorre.

District 56 (78%D - 14%R)
Blacksten (R) 5,395 (19%)
Torres (D-Inc.) 22,783 (81%)
This was another runaway for Democrat Art Torres, who may take a shot at higher office one of these years.

District 57 (63%D - 30%R)
Elder (D) 36,621 (67%)
Patrick (R) 17,758 (33%)
Dave Elder knocked off Democrat Mike Cullen in the primary and kept campaigning as though the Republican had a chance.

District 58 (57%D - 37%R)
Brown (R) 45,630 (54%)
Chel (D-Inc.) 38,952 (46%)
This was the biggest surprise of the election. Chel was considered a cinch for re-election and the probable winner of the Senate seat being vacated by George Deukmejian. But he was attacked as a big spender, as a friend of Cesar Chavez and for the improper use of state funds. It stuck and businessman Dennis Brown will replace Chel.

District 59 (68%D - 26%R)
Fenton (D-Inc.) 43,926 (67%)
Muniz (Ind.) 11,486 (18%)
Clair (R) 9,746 (15%)
Boxer Armando (The Man) Muniz put some fear into the heart of veteran Jack Fenton, but the old pro pulled out another term handily.

District 60 (69%D - 25%R)
Guarnett (AIP) 1,793 (4%)
Tanner (D) 27,266 (63%)
Cluff (R) 14,526 (33%)
This was an impressive victory for former legislative staffer Sally Tanner in the district vacated by Senator-elect Joe Montoya. Republican Happy Cluff tried hard, but the registration and Tanner's campaign were too much to overcome.

District 61 (43%D - 51%R)
Mountjoy (R) 58,196 (83%)
Scanlon (AIP) 11,577 (17%)
The primary was the contest, and former Monrovia mayor Dick Mountjoy won it all in June by ousting the veteran Bud Collier.

District 62 (50%D - 44%R)
Lancaster (R-Inc.) 43,828 (53%)
Baldonado (D) 38,784 (47%)
Democrat Sandy Baldonado came a bit closer to Republican Bill Lancaster than she did in 1976, but the district is still essentially Republican.

District 63 (61%D - 33%R)
Young (D-Inc.) 50,632
Democrat Bruce Young would have run for Congress had he realized what the competition would have been for the seat of retiring Republican Del Clawson.

District 64 (49%D - 44%R)
Juric (D) 28,484 (35%)
Stirling (R-Inc.) 52,231 (65%)
Republican David Stirling need fear only 1981 reapportionment.

District 65 (55%D - 38%R)
Donnelly (R) 27,166 (41%)
McVittie (D-Inc.) 39,276 (59%)
The victory margin of Democrat Bill McVittie was down somewhat but still comfortable.

District 66 (64%D - 30%R)
Goggin (D-Inc.) 41,432 (65%)
Wolfinbarger (R) 22,022 (35%)
This is a replay of the 1976 contest between Terry Goggin and Tammy Wolfinbarger.

District 67 (48%D - 44%R)
Leonard (R) 53,444 (54%)
Hauser (D) 44,895 (46%)
This has been a Republican district for many years. With the incumbent, Jerry Lewis, headed for Congress, Democrats decided to take a shot at it. But attorney Steve Hauser of San Bernardino fell far short of the winner, water district director Bill Leonard.

District 68 (56%D - 35%R)
Engel (R) 35,420 (44%)
Ingalls (D-Inc.) 45,554 (56%)
Republicans were hoping that businessman Bill Engel would come closer to knocking off Democrat Walter Ingalls. But Ingalls received considerable GOP support.

District 69 (47%D - 45%R)
Bell (D) 37,286 (45%)
Johnson (R) 45,235 (55%)
With Republican incumbent Bill Dannemeyer headed for Congress, this became a competitive

Wray

Bergeson

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district. The area has a GOP tinge and that carried Ross Johnson over Paul Bell'n in a battle of the lawyers.

District 70 (4)%D - 51%R)
Nestande (R-Inc.) 69,450 (71%)
Music (D) 28,395 (29%)
Republican Bruce Nestande is on good terms with the Assembly Democratic leadership and gets little competition in this Republican stronghold

District 7 1 (5 3%D - 36%R)
Wray (D-Inc.) 41,905 (56%)
Allen (R) 32,862 (44%)
The surprise here is the relative ease with which Democrat Chet Wray won re-election. He was a prime GOP target.

District 72 (5 3%D - 37%R)
Brandt (R 23,216 (38%)
Robinson (D-Inc.) 38,233 (62%)
Democrat Richard Robinson runs far ahead o registration.

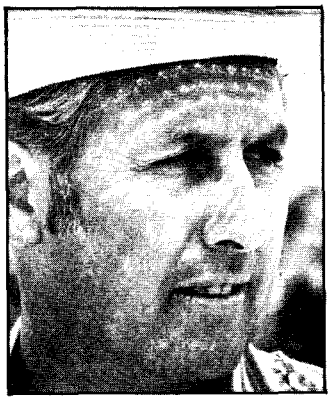
District 73 (4 6%D - 44%R)
Gallagher (L) 4,750 (4%)
Gibson (R) 46,383 (43%)
Mangers (D-Inc.) 55,801 (52%)
The GOP put plenty of effort into trying to defeat classy Democrat Dennis Mangers, but Republican Chuck Gibson didn't even come close.

District 74 (35%D - 55%R)
Bergeson (R) 99,501 (74%)
Harrison (D) 34,865 (26%)
Two years ago, Democrat Ron Cordova won this seat on a fluke. This time, Republican Marian Bergeson returned it to the GOP column with ease after Cordova decided to run for the Senate.

District 75 (49%D - 43%R)
Kelley (R) 57,099 (58%)
Suitt (D-Inc.) 41,955 (42%)
A rash of unfavorable publicity made Democrat Tom Suitt ripe for the picking in this desert district. Citrus rancher David Kelley knows how to pick ripe fruit.

District 76 (41%D - 47%R)
Frazee (R) 101,379 (67%)
Childs (D) 49,691 (33%)
Republican Bill Craven is moving to the Senate. Businessman Bob Frazee of Carlsbad wrapped up this seat in June.

District 77 (48%D - 42%R)
Ellis (R-Inc.) 66,502 (67%)
Davis (D) 32,928 (33%)
Republican Jim Ellis is making re-election in this district, once held by a Democrat, look increasingly easy.


Kelley

Frazee

District 78 (51%D - 36%R)
Knoepp (R) 39,161 (45%)
Kapiloff (D-Inc.) 47,994 (55%)
Former U.S. Attorney Terry Knoepp was one of the Republican Party's prize candidates, but incumbent Larry Kapiloff delivered the knockout blow with his authorship of the $1 billion income-tax relief package.

District 79 (60%D - 29%R)
Bridge (R) 19,621 (36%)
Chacon (D-Inc.) 35,558 (64%)
Coronado Mayor Virginia Bridge didn't pose much of a threat to incumbent Pete Chacon.

District 80 (54%D - 34%R)
Green (R) 21,436 (29%)
Deddeh (D-Inc.) 51,502 (71%)
Nobody knows how to keep the home folks happier than Democrat Wadie Deddeh.

ROSTRUM

Clark/Younger factor

One of the more interesting statistics to come out of last week's election was Ed Clark's vote as a percentage of Evelle Younger's. Statewide it was 15 percent — impressive enough given the fact that he probably received much less than 5 percent of Younger's newspaper and television coverage. But what's really impressive is how he fared in Northern California. The results indicate that it probably wouldn't take much more in the way of publicity and money to shove the Republicans aside. Here are the top twelve counties:

Ed Clark's Vote As A Percentage of Evelle Younger's

Alameda	27%
Nevada	27%
Kern	26%
Marin	26%
Sacramento	24%
Yolo	24%
San Francisco	23%
Santa Clara	23%
Contra Costa	22%
San Mateo	22%
Placer	22%
Sonoma	20%

The Libertarians are going to court now to win a place on the ballot. When they do and they start running a full slate it shouldn't be long before they're out-polling the Republicans in the northern half of the state.

EDWARD H. CRANE III
San Francisco

Sterility, not impotence

After reading "The Cancer Conflict" in the November issue, I feel I must comment on some of the errors concerning the events at the Occidental Chemical Company's plant in Lathrop.

The article states ". . . a pesticide has rendered them sexually impotent and may endanger their lives." The biological effect of DBCP on the human male reproductive system is to produce a reduction or absence of the ability of the teste to make sperm cells . . . It was lack of fertility rather than impotence that was recognized by the men.

The author identifies Dr. Donald Wharton as director of the privately run Labor Occupational Health Project in Berkeley. Besides misspelling my name, the Labor Occupational Health Program is a program within the Institute of Industrial Relations, Center for Labor Education and Research, University of California, Berkeley, not a private entity.

The statement ". . . there were high levels of DBCP in the air in the ag-chem division" is incorrect. There were two major reasons that DBCP was one of the prime suspects: 1) DBCP was approximately 20 percent of the total formulation of all products in Ag Chem, and 2) DBCP was one of the few compounds that had any animal evidence showing testicular effects. The air levels were not high, as is later pointed out in the article, compared to the suggested threshold limit proposed by Torkelson et al in 1961.

Although these errors may be minor, their inclusion can lead to some misconceptions.

DONALD WHORTON M.D.
Berkeley

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Can public-employee unions rebound after Proposition 13?

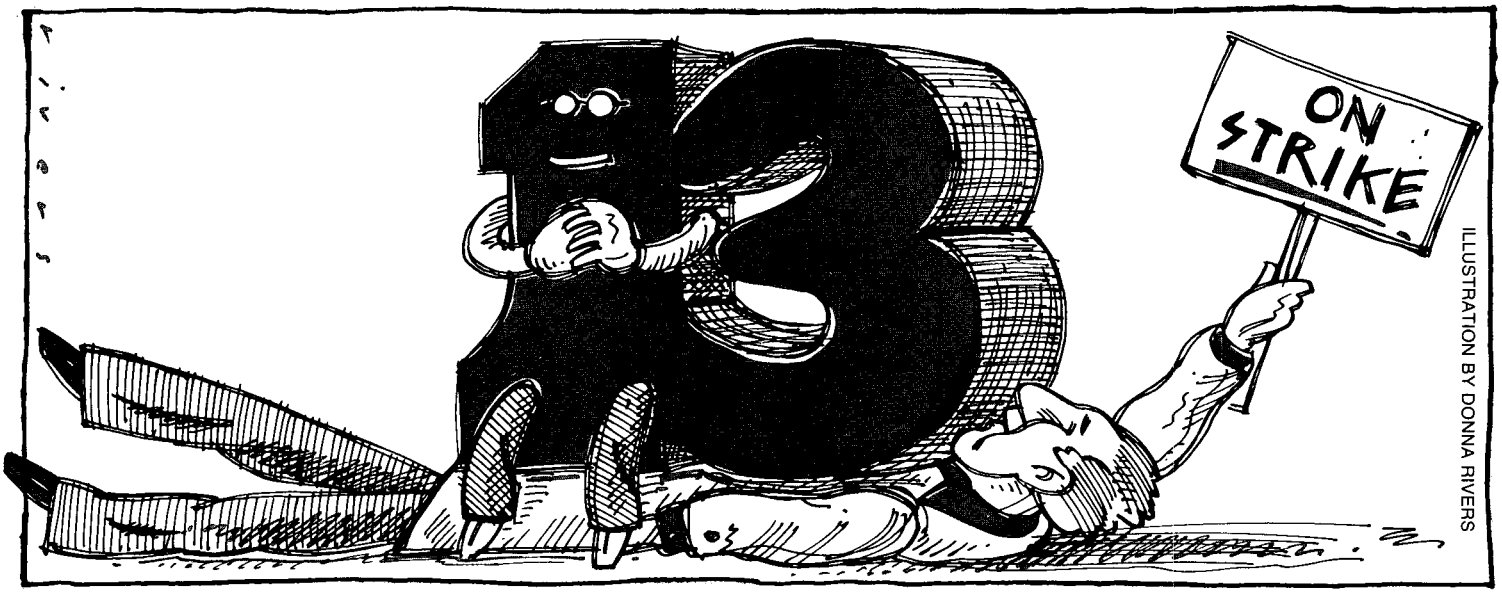

ILLUSTRATION BY DONNA RIVERS

By ELAINE I. LEVY

Over the past few years, public employment has been by far the fastest growing segment of organized labor in California. At a time when the number of union members in the private sector has remained fairly constant (and even declined in some areas), the ranks of public-employee organizations have grown rapidly. Public-employee groups have become more militant, have become a major factor in the political process and have won significant legislative victories to gain collective-bargaining rights.

Then came Proposition 13.

Overnight, the state put a freeze on the hiring of new employees and cut off pay raises for all state and local government employees. Some public employees lost their jobs; others decided to retire rather than to continue working in the Jarvis-Gann atmosphere. Newly won collective bargaining rights almost became irrelevant.

Yet all is not lost for public-employee unions. They are merely regrouping their forces for the post-13 counterattack.

Public-employee unions won't know where they stand until the legality of the state's Proposition 13 implementation legislation is determined, until the size of the state surplus next year is computed, and until the overall shock waves of the Jarvis-Gann initiative come to an end. Unless there is money in the public coffers, what is the sense in negotiating over pay and fringe benefits?

John F. Henning, executive secretary-treasurer of the California Labor Federation AFL-CIO, concedes that unions lost two battles in the Legislature last year — over wages and over the plan by Assembly Speaker Leo T. McCarthy to restrict property-tax savings to residential property. Yet, Henning claims unions are prospering in the wake of Proposition 13. William A. Craib, president of the California State Employees Association, (CSEA) admits that his organization's membership has been frozen, but he adds: "The message of public employees is to continue to unify for greater strength in the future." Agrees John F. Crowley, secretary-treasurer of the San Francisco Labor Council: "Workers are recognizing that their unions can be their strongest voice."

Battles in the courts

At present, the unions are fighting the effects of Proposition 13 in the courts, either directly or with *amicus curiae* briefs supporting the contentions of others. Among the issues to be decided are these: whether the state's restriction on pay increases violates the right of contract; whether Proposition 13's passage was a true emergency allowing Governor Brown to take extraordinary actions and whether management can declare wages off limits for negotiation.

At the same time, public-employee unions elected to play a lesser role in 1978 election. CSEA and the California Teachers Association refused to endorse Governor Brown for re-election. They didn't back his opponent, Attorney General Evelle Younger, either. These organizations, politically the most active among public-employee organizations, were sending the Democratic leadership a message: "We will not allow ourselves to be sacrificed on the altar of Proposition 13 and keep paying homage to those who were supposed to be our friends." Henning's AFL-CIO organization did

Elaine I. Levy is a free-lance writer in Sacramento.

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support Brown. "Governor Brown's positive labor legislation in every area except this year's public-employee wages makes it no contest with Younger," explained Henning, who had been appointed to the University of California Regents and to the Post Commission on government reform by Brown. The Service Employees International Union (SEIU) also endorsed Brown. "The Republicans are far too right," explained Jim Twomey, international vice-president.

Some labor leaders are upset because many officeholders now feel that labor is not to be taken seriously as a political force. Raoul Teilhet, president of the California Federation of Teachers, AFL-CIO, admits that most of his organization's political funds for 1978 went into the anti-13 campaign. But even if money were available, he asks, what's the point of bankrolling candidates this year? He believes that "public employees are now politically impotent — at an all-time low." But he emphasizes that since public employees are well organized and raise money for political causes, "the situation is redeemable."

Union leaders are especially upset with the formula adopted by the Legislature to distribute funds to local government. The state made some $4.1 billion available but linked the grant of funds to cities, counties and special districts to the pay of state employees. As it turned out, any entity that gave a pay raise became ineligible for state funds because the Governor vetoed an increase for state workers. Brown claimed that state employees should not be given preferential treatment and that he was avoiding layoffs at the local level.

Marty Morgenstern, director of the state Office of Employee Relations, claims that it was necessary to link state funds with local salaries. "Local government is not an island," he says. "The local and state governments are interdependent." He insists that a 5 percent pay increase for state workers this year would have resulted in some 70,000 local-government workers losing their jobs. And he predicts that the state will save more than $45 million this year through the hiring and wage freeze.

Pay raises next year

How long can the state keep saying no to its own workers? Morgenstern feels that there must be a pay increase in the next budget. And he feels confident that enough money will be available for pay raises next year as well as continued bail-out funds for local government. He forecasts improved morale for state employees in coming years because of the new collective bargaining law for state employees passed by the Legislature last session.

The AFT's Teilhet does not agree with Morgenstern's rosy picture of 1979 and beyond. He claims the state surplus will no longer bail out local government because of the new state income-tax law which will cut back collections through indexing. "That bill," he says, "gave it back to the middle class at the expense of the public employees."

Most union leaders see Proposition 13 as a protest against high property taxes — not against public employees. The CSEA leadership feels that Governor Brown and the Legislature overreacted, and that the workers were punished as a result. Rich Martin, CSEA communications director, claims the Legislature had "no business in bailing out local governments, no business freezing state employees' salaries." Those representing local workers disagree, claiming the state simply should not have restricted pay increases at any level.

Henning, who heads the AFL-CIO lobbying effort in Sacramento, sees the 1978 legislation as "temporary actions to solve a crisis." He says he is especially concerned about the "diminution of — no, the annihilation of — local government (through state control)."

Willing to strike

Typical public employees apparently blame the public at large and elected officials in particular for their current plight — not their unions. They are not leaving their organizations in measurable numbers. Indeed, the labor leaders feel that Proposition 13 in the long run will produce stronger unions, with members far more militant than in the past and with a willingness to strike if their demands are not met.

A few workers opted out by taking early retirement. But after an early flurry, the retirement rate has returned to normal. At first, some long-time workers apparently feared that they would lose pension benefits if they remained at work. But now the prevailing view is that pay increases will resume next year, and that means that future pension benefits will be greater.

Other workers with highly marketable skills are supposed to be deserting government for work in private enterprise. Labor organizations claim that wages and benefits for computer and health specialists in the private sector have far outstripped those offered by government. But there are no statistics to show the extent of the exodus. Labor representatives also point out that the 20,000 layoffs following the enactment of Proposition 13 demonstrated dramatically to public employees that they no longer have the job security which was supposed to compensate for somewhat lower wages than they might obtain in private enterprise.

One of the reasons why employee morale is low is that it is so difficult to predict the immediate future. What will the courts decide? How much money will be available next year? What kind of restrictions will be placed on wages and benefits by the Legislature? How can collective bargaining work in a Jarvis-Gann environment?

A mammoth confrontation between the public and its employees may be in the offing. Public employees are talking tough, demanding that their leaders do something and getting ready for what might become known as the granddaddy of public-employee strikes in the history of California or even the nation.

Selected Government Reports

State Court System, by the Council of State Governments. Compares court structure, judges' salaries and related data. 33 pp. Available from the Council, P.O. Box 11910, Iron Works Pike, Lexington, KY 40578. ($4; free to news media and state officials.)

Your Right To Know, by the State and Consumer Services Agency. Explains the Information Practices Act limiting the state's record-keeping on citizens and guaranteeing their right to know what's in their records. 16 pp. Free from DMV offices and the Office of Information Practices, 801 Capitol Mall, Sacramento 95814.

Sounding Board for Elites: The Case of Public Hearings on Intergovernmental Reform in California, by Frederick A. Bergeson and Michael J. McBride. Examines the extent and impact of citizen involvement. 20 pp. Available from the Institute of Governmental Affairs, Shields Library, University of California, Davis 95616. ($2)

Economic Impacts of Land Use Control: The California Coastal Zone Conservation Commission, by Robert Kneisel for the Institute of Governmental Affairs, University of California, Davis. Critical analyses of research on the California coastal commission's impact on housing, land markets and employment. 50 pp. Available from the Institute, University of California, Davis 95616. ($3.50)

Defining Prime Agricultural Land in California, by John P. Reganold and Michael J. Singer for the Institute of Governmental Affairs, University of California, Davis. Examines reasons for the alternatives to preservation of prime agricultural land. 45 pp. Available from the Institute, University of California, Davis 95616. ($3)

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How Proposition 13 changed assessment practices

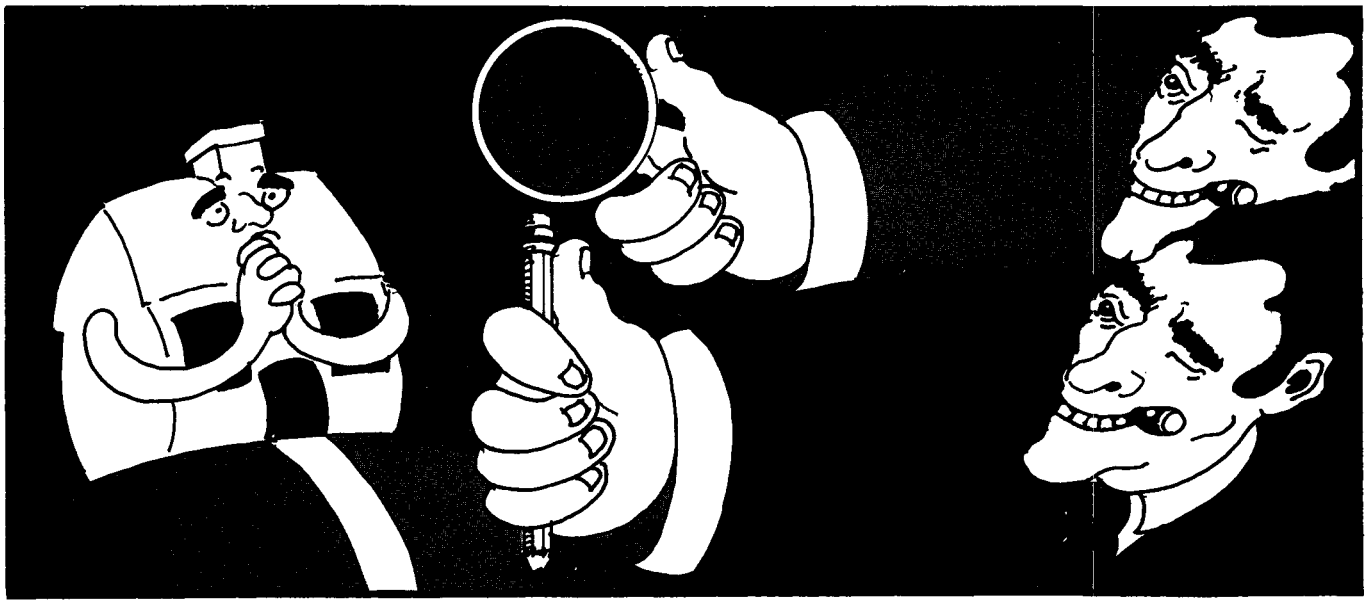

ILLUSTRATION BY SUSAN DOUGLAS

By Laura Remson Mitchell

When Proposition 13 was adopted in June, it did two things to the property tax system in California: It established a constitutional limitation on the tax rate (1 percent of the property's full value, plus an amount needed to pay off previously voter-approved bonded indebtedness), and it established a new method for assessing property.

The tax limit and its effects — on budgets, public employee wages, layoffs and so on — have been widely reported. But receiving less attention is the equally important effect that Proposition 13 is having on assessment practices in California.

The new method obviously has meant lower assessments — and lower tax bills — for many taxpayers. But there is much more to the assessment story. Assessment practices are the heart of the matter when it comes to fair administration of the property tax. It is the way in which property is valued by assessors that determines the distribution of the tax burden among property taxpayers. So it is important to understand how assessors are setting the new values under Proposition 13.

Unfortunately, such understanding is difficult to achieve. The language of Proposition 13 is unclear; the questions raised far outnumber the answers. County assessors can't agree among themselves on how to implement the new process. And the Legislature doesn't always agree with the State Board of Equalization.

Even opponents of Proposition 13 recognized several drawbacks to the old system. Appraisals often lagged behind actual market values and permitted temporary inequities among taxpayers. When reassessment finally occurred, it resulted in tremendous jumps, and such jumps frequently gave government and schools a windfall at the taxpayers' expense.

The new Jarvis-Gann system eliminates those big reassessment jumps, but it also creates a host of new problems and inequities. Some background on the assessment process will help to explain why.

The 'full value' key

Technically, all property subject to taxation is assessed at 25 percent of "full value." Prior to July 1st, "full value" for most property legally meant the property's current market value. In other words, the property tax bill (the tax rate multiplied by the assessed value) was supposed to be directly related to what the property was worth as of the lien date (March 1st of the tax year). Thus, if all appraisals of market value could be kept accurate and up to date, property tax burdens would reflect the owners' degree of property wealth: Given the same tax rate, the owner of a $200,000 house would pay more than the owner of a $100,000 house, who would pay more than the owner of a $60,000 house, and so on.

Proposition 13 changed all that by establishing a new definition for what the measure called "full cash value." Now "full cash value" is the market value of the property as of March 1st, 1975. If the property has changed ownership or has been "newly constructed" since that date, "full cash value" is the market value as of the time of the ownership change or new construction. This value is then frozen, except for a maximum 2 percent annual adjustment for inflation, until there is further new construction or another change of ownership. The new Proposition 13 tax rate will apply to this taxable value, minus the value of any applicable

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exemption, such as the homeowners' exemption.

Because different properties appreciate (or depreciate) in value at different rates, and because Proposition 13 provides for updating appraisals only when there is a change of ownership or new construction, tax bills under the new system will bear no consistent relationship to the property's actual value. There are other serious problems inherent in the system.

- The meanings of "newly constructed" and "change of ownership" and their full implications in the assessment process were not clearly spelled out in Proposition 13. The State Board of Equalization (SBE) and the Legislature have made some effort to clarify these and other points in the new law, but further clarification almost certainly will be required. This is especially true for areas in which the Legislature and the SBE offer different interpretations, as well as for those situations for which no rules have yet been drafted to guide assessors.
- Some assessors are finding that certain rules are difficult to comply with. For example, the latest SBE regulations as of this writing require assessors to reappraise retroactively all property that changed ownership after 1975. But some property transfers were never recorded. Assessors now have neither the methods nor the authority necessary to discover all the unrecorded transfers that took place between March 1st, 1975, and the present. Even future unrecorded transfers will pose problems unless new reporting requirements are established. And ignoring unrecorded transfers while reappraising for recorded changes of ownership would be discriminatory.

A tangle of questions

From such basic problems arise a tangle of other questions, some of them technical but all of them significant. For example

Should the base year value for property taxation be the value shown on 1975-76 tax rolls or the actual market value as of the lien date in 1975-76?

Proposition 13 states, "All real property not already assessed up to the 1975-76 tax levels may be reassessed to reflect that valuation." The SBE voted to use the 1975-76 tax rolls, despite the fact that many properties had not been reappraised for many years as of that time. However, the California Assessors Association objected to the ruling, pointing out that this would mean a windfall for those whose property was last appraised long before 1975-76. Some assessors even said they would use actual 1975-76 values anyway, despite the fact that SBE rules have the force of law.

The Legislature solved the problem by overriding the board's ruling and requiring use of actual 1975-76 values. The Legislature's action was part of SB 154, the measure that provided bail-out money to local government and schools.

What all this adds up to is that the value base under Proposition 13 can be higher than the full value reported on 1975-76 tax bills. It also means that in cases where there has been no change of ownership or new construction, all property owners are at least starting out on an equal footing.

What is "newly constructed" property for taxation purposes, and how much of a parcel on which new construction occurs will be reappraised as of the new construction date?

SBE rules define "newly constructed" as "any addition or improvement to land" or to an existing improvement, such as a building. Renovation or modernization is considered to be "newly constructed" if it converts the property to another use or if it extends the economic life of the improvement. However, some types of alteration — such as modernization of a kitchen in a home — are not classified as "newly constructed." Normal maintenance and repair also are excluded from the definition of "newly constructed."

Under current rules, "new construction" will trigger reappraisal only of the newly constructed portion of the property, not of the entire parcel. Thus, if a landowner keeps his property vacant for several years before deciding to build on it, only the building will be appraised at the construction-year value. The land will continue to carry its 1975-76 value, adjusted only for inflation, at 2 percent a year.

What constitutes a change in ownership?

The SBE seemed to intend that reappraisal not be triggered by such things as technical changes in legal title or the death of a spouse with whom the taxpayer jointly owned property. But assessment officials don't want any exclusions that may become loopholes for escaping legitimate reappraisal. The result is a set of guidelines that seems confusing, inadequate and inconsistent. Yet this may be inevitable, considering the many ways in which property can be "owned" and transferred.

Take long-term leases, for example. Prior to Proposition 13, leaseholds posed no particular problem for assessors: They assessed the property, and the owner was billed. It was up to the owner to collect pro-rated portions of the tax from his tenants, if he chose to do so. But under Proposition 13, long-term leases could offer a way to escape reassessment for what amounts to a change of ownership (in right to use, though not in legal title). Therefore, current regulations define creation of a lease of more than 10 years as a change of ownership, triggering reappraisal of that leasehold. Thus a commercial building that formerly was appraised as a single entity might now require many separate appraisals, one for each long-term lease in the building.

Another new assessment problem involves the sale of what assessors call an "undivided interest" in real property. For example, suppose five people own an apartment building and one person decides to sell his interest in the property. How much of the property would be reappraised to reflect the market value as of the change of ownership? Current SBE rules would make it simple for assessors but hard on the remaining original owners: The SBE says the whole property should be reappraised when any portion changes ownership.

The Legislature seemed to be moving in a different direction toward the end of the last session. SB 2223 included a section providing that only the portion of property that changes ownership would be reappraised. But SB 2223 was hung up in conference committee over issues unrelated to the assessment question, and time ran out before a compromise version of the bill could gain approval of both houses. The issue is expected to come up again in the next session of the Legislature. Meanwhile, the SBE rules remain in effect.

What happens if property is damaged or otherwise declines in value?

Article XIII, Section 15, of the state constitution permits the Legislature to authorize reductions in assessments for property that has been physically damaged or destroyed after the lien date. Many believed that Proposition 13's new definition of the value base for property taxation might supersede that provision. However, the current interpretation seems to be that if property is physically destroyed and thus "removed," then the assessment should be reduced.

The reduction would amount to the "taxable value" of the portion of the property that is physically removed from the site. In practical terms, that means reducing the "full cash value" of the property by the same percentage as the actual damage represents of current value. In other words, if a $100,000 house suffered $10,000 worth of physical damage,

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and if the taxable value of the house under Proposition 13 is $40,000, then the reduction would be 10 percent, $4,000.

But this reduction applies only to physical damage — loss of economic value is not a basis for reduction. For example, property in some neighborhoods has fallen in value since 1975-76. However, unless there has been a change in ownership, Proposition 13 requires that the values be rolled back to their higher 1975 levels. A similar situation exists with "fixtures" — a category of business equipment that is classified under tax law as part of the real property and not as personal property. Fixtures include equipment that depreciates in value, sometimes rather rapidly. Unless transfers of ownership are arranged, thereby triggering reappraisal, Proposition 13 also would require that these items be rolled back to their higher 1975 values.

But passage of Proposition 8 last month has changed some reassessment rules. It specifically permits reduced assessments "to reflect substantial damage, destruction or other factors causing a decline in value," but the "other factors" are not defined in the measure. This section of Proposition 8 makes the assessment system a little fairer because it means property owners will not have to pay taxes on value their property no longer possesses. But since the Proposition 13 freeze on increases in value remains in effect, Proposition 8 also may result in a tax base that is allowed to shrink but is not permitted to grow (except as a result of new construction, changes of ownership and the 2 percent inflation factor).

Another section of Proposition 8 provides that reconstruction of disaster-damaged property will not be considered "new construction" for assessment purposes as long as the property's value after reconstruction is comparable to its value before the disaster. To qualify, the damaged property must be in a disaster area declared by the governor.

How will personal property be treated under Proposition 13?

Personal property is not covered by the new assessment provisions. However, a section of the California constitution requires that the tax rate applied to personal property on the unsecured tax roll be the same as the rate applied the previous year to property on the secured roll. This year, that would permit personal property to be taxed at last year's pre-Proposition 13 tax rates. But next year, the Proposition 13 rate would apply to both types of property.

Complicating the issue is the fact that another section of the constitution states that the tax rate on personal property can be no higher than the rate on real property in the same jurisdiction. There have been different interpretations of these provisions, and different decisions have been made regarding how to treat personal property. The decision to use last year's higher rates in some counties has precipitated legal action. However, this is a tax rate issue, not an assessment matter.

How much can individual assessments rise under Proposition 13?

Unless there is new construction or a change in ownership, property values for tax purposes will be allowed to rise by no more than 2 percent a year to reflect inflation. This inflation factor is to be applied as of the base year — that is, either 1975-76 or the year in which the property changed ownership or was newly constructed. For those who owned their property in 1975-76, that means the 1978 taxable value will be 6.12 percent more than the property's actual value as of March 1st, 1975.

What happens to property that was covered by special assessment procedures or exemptions prior to passage of Proposition 13?

Jarvis-Gann did not repeal any exemptions that were authorized or granted by the state constitution as of July 1st, 1978. Thus the homeowners', veterans' and other exemptions remain in effect. In addition, specific SBE rules have been drafted to cover assessment of trees and vines, oil- and gas-producing properties, mines and quarries, timberland, nonprofit golf courses and open-space land that is enforceably restricted under the Revenue and Taxation Code.

What will be the court's final word on the assessment process?

The California state Supreme Court declared Proposition 13 constitutional, but Chief Justice Rose Bird dissented concerning the assessment provisions. Since the legal challenge concerning assessments is based on the equal protection clause of the 14th Amendment to the U.S. Constitution, it remains to be seen whether the issue will be pursued in federal court.

Traditionally, the U.S. Supreme Court has been reluctant to enter the thicket of state tax laws. So in the final analysis, it may be California's legislators and assessors who will have to convert Proposition 13's assessment maze into a system that is understandable, workable and fair.

The campaign isn't over until the last report is filed

If you are somehow involved in a political campaign this year, you may be surprised to learn that the election won't be over until next January 31st. That's the deadline for the filing of the last contribution-and-expense-statements with state and local officials.

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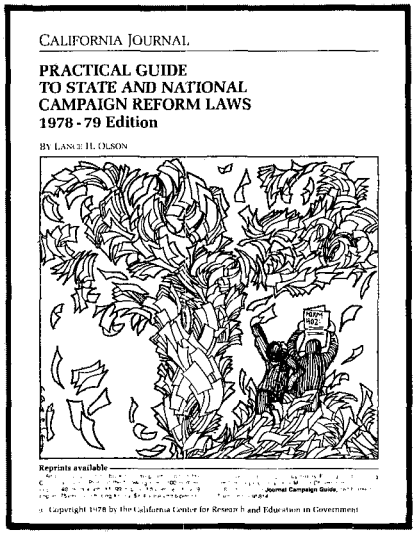

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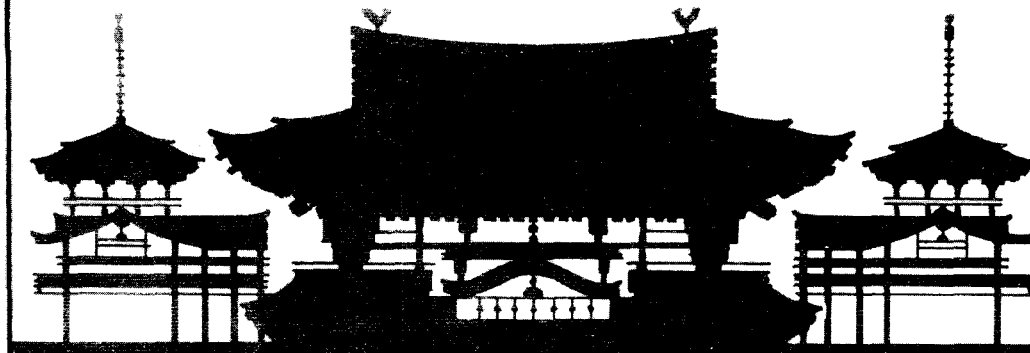
Phil Burton: '. . . You can't buy Ed Roybal for money, marbles or chalk'



SLAPPING THE WRISTS OF THE Koreagate Trio

By George Baker

Almost from the beginning, there seemed to be something unreal about the South Korean influence-peddling investigation in Congress, known popularly as "Koreagate." Bundles of cash carried in diplomatic pouches; mysterious women like party-giver Suzi Park Thompson; envelopes stuffed with $100 bills; a self-seeking, ambitious millionaire businessman named Tongsun Park; and eavesdropping by intelligence agencies — all hinted of a scandal in Congress unsurpassed since the *Crédit Mobilier* scandal of the 1870s.

The House Committee on Standards of Official Conduct, known as the Ethics Committee, launched an investigation of its peers, always a troubling task. A few months later special counsel Phillip A. Lacavora resigned, charging that the investigation was moving too slowly. Former Watergate special prosecutor Leon Jaworski was brought in to elevate the scope of the probe. While the move may have assured the public that the investigation had sufficient integrity, the unfortunate result was that comparisons between Watergate and Koreagate became inevitable. And Koreagate would eventually suffer. Two years later, any comparison between Watergate and Koreagate is strictly academic. Jaworski has gone back to representing his corporate clients, and the House rang down the curtain on the embarrassing episode, hours before it fled Washington in mid-October to hit the campaign trail. It seemed content in the knowledge that it had slapped the wrists of three wrongdoers.

A California odor

The three happened to be veteran California Democrats, which gave the scandal a particular California odor, like the aroma of freshly minted $100 bills and the smell of newly hulled rice. Indeed, Park's tampering with the congressional system involved primarily two states — California and Louisiana, both of which are leading rice states.

A parallel Justice Department investigation was hardly one to shake the foundations of Congress. One Californian, Richard C. Hanna of Orange County, is serving a term in federal prison for taking $200,000 in bribes from Park. Former Louisiana Congressman Otto Passman is due to stand trial on similar charges. Other than a few minor cases, the Justice Department is also about finished.

A separate Senate investigation found that three senators — Birch Bayh and the late Hubert H. Humphrey and John McClellan — received money from Park which was never reported as campaign contributions. The case of Bayh, an Indiana Democrat and one-time presidential aspirant, was referred to the Justice Department.

The investigations were hampered by the difficulty of tracing cash payments and the lack of testimony by Kim Dong Jo, the former South Korean ambassador to the United States, who is alleged to have also distributed money to an unknown number of politicians. Yet the House was clearly agonized when it reprimanded the California trio — Congressmen John J. McFall of Manteca, Charles H. Wilson of Hawthorne and Edward Roybal of Los Angeles. The House took action ever so reluctantly, and inevitably raised questions about its ability or willingness to discipline its own members when their conduct is at best questionable. In the end, the scandal was something less than the temple-shattering scam that the American public had been told was masterminded by Park and his South Korean confederates. Seamy and sordid it was indeed, but it was hardly the wholesale corruption of Congress that many accounts had rendered it.

Going public

Some good, however, may yet emerge. The myth about the incorruptibility of California lawmakers was laid bare, along with the subterranean workings of the politics of rice, an important and politically sensitive crop. And the ease with which men with sufficient money in their pockets can gain access to politicians was underscored for those who still believe in the tooth fairy and no-strings-attached campaign contributions. In the future, lawmakers likely will be more prudent about accepting contributions and gifts from individuals who obviously have an ax to grind.

Actually, the investigation hit its peak last April when Park went public and named the 30 House members to whom he had distributed $850,000, beginning in the late 1960s. Once Park had been forced to testify in the United States, under the threat of an aid cutoff to South Korea, it was inevitable that a number of lawmakers would walk the plank.

Park — as obsequious a character as ever graced the social pages of Washington's newpapers — emerged with immunity from prosecution, the Internal Revenue Service hot on his trail, a pile of money in the bank and continuing friendship with some of Washington's leading social lions and political fixers.

Fast-talking and young-looking, Park, 43, had come to the United States in the 1950s to attend college. Along the way he acquired expensive tastes, a string of girlfriends and an insider's understanding of how politicians can be corrupted. All this helped him float through the Washington social scene. By 1968 Park and his South Korean cohorts (particularly the Korean Central Intelligence Agency), conceived a

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scheme to serve the interests of his native country, which was concerned about flagging military aid from the U.S. and resistance to the country's dictatorship.

It was, as Jaworski outlined it, a "studied program under the direction of the (KCIA) to reach and unduly influence a number of public officials, primarily members of the House of Representatives sitting on key committees dealing with forms of foreign aid, for the purposes of assuring maximum congressional grants to South Korea."

The "self-appointed bagmen," Jaworski said, were Park and Kim Dong Jo. And a Senate committee made it clear that it considered Park to be an agent working in behalf of the Korean government. According to the plan, Park would become the sole agent for the sale of American rice to Korea, an important export outlet for Louisiana and California farmers who are constantly plagued by surpluses. The money generated by Park in the form of commissions would be used to finance the influence-peddling scheme.

As the man through whom all Korean rice sales had to go, Park was in an extremely influential and lucrative spot. He could attempt to trade the sales for votes, as he testified he tried several times. And he could use rice-growing interests to put pressure on the very men he also was attempting to influence.

Helping good friends

He had developed a philosophy, Park testified, that if "those American congressional friends are helpful and sympathetic to the Korean people, they ought to be recognized by the Koreans themselves, and if possible, these good people should be helped in every way possible."

The plan may not have produced long-term benefits for Korea, but it was a profitable one for Park. Through 1975 he earned $9.2 million in commissions from rice sales, about $2 million of that coming from the food-for-peace or U.S. subsidized sales. From his profits, Park channeled back about $850,000 to his friends in the form of contributions or bribes.

The South Korean knew what he was doing when he zeroed in on influential Californians who watch out for the interests of the state's rice growers. These 1,092 growers, located in northern and central California, desperately needed government help in propping up prices and unloading their crop overseas, since about 60 percent of it had to be exported in the late 1960s.

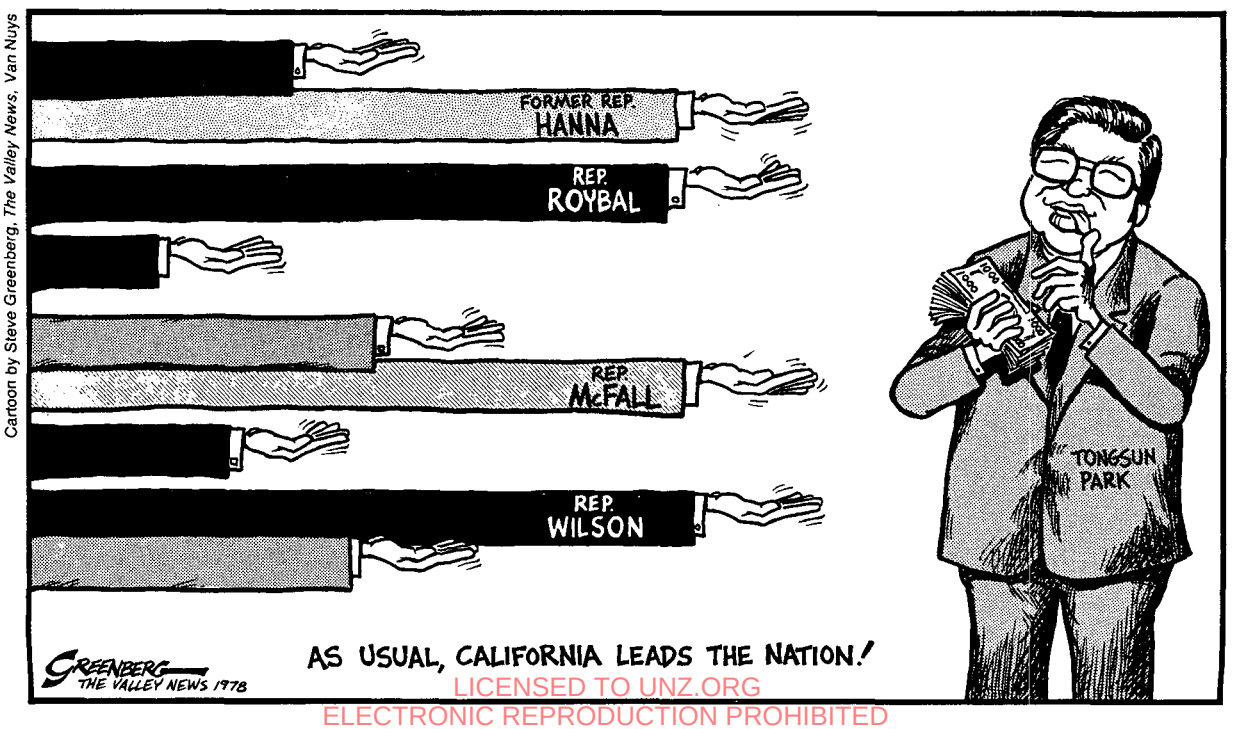
Most of the growers belonged to the Sacramento-based Rice Growers Association of California, a cooperative which is their marketing agent. RGA, once headed by former San Francisco Mayor Joseph Alioto, turned out to be an accomplice, unwitting or otherwise, in Park's scheme to extract commissions from exports. It was RGA which first acceded to Korean demands that it hire Park, a message relayed to Alioto in 1968 by Park and Hanna. A year later Park pocketed more than $200,000 in his first major sale of RGA rice. And it was RGA which served as the contact point between Park, McFall and others.

For the rice growers, Park performed admirably. From 1969 to 1975, one-fourth of the entire state rice crop was shipped to Korea, at a value of about $350 million, most of it underwritten by the taxpayers.

One member intimately involved in rice was McFall, a drab, 11-term veteran who represents a northern San Joaquin Valley district. McFall, 60, first met Park in 1969 when Park was trying to get a $50 million military aid provision for Korea passed in Congress and was dangling a 400,000-ton rice sale before him and others. Their relationship flourished, and McFall eventually received $4,000 in cash contributions, a party valued at $1,500 to $2,000 and a $500 tea set, which sits unused in his office. None of the gifts was publicly reported, an oversight which McFall later would regret.

While receiving such largesse, McFall occasionally gave Park assistance by writing several letters complimenting him on his work in selling California rice. A parochial lawmaker who tended to district matters and preferred conciliation to confrontation, the mild-mannered McFall was appointed majority whip, the number three post in the House, in 1972. Otherwise, as a senior member of the Appropriations Committee, he spent most of his time chairing a subcommittee on transportation matters.

The Ethics Committee originally charged McFall with not reporting a $3,000 cash contribution in 1974 from Park, cash that was stashed in an office account; with converting part of that money to his personal use by loaning his daughter funds to buy a car; and with receiving the money and gifts under circumstances which might give the appearance that he was being influenced by Park. After public hearings, the committee dropped the latter two charges. Concentrating on the campaign reporting violation not only spared McFall the anguish of defending what officially would have been a corrupt relationship with Park, but it preserved a myth no one in Congress cared to shatter: that the $4,000 campaign contribution was not intended by Park to influence McFall's



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conduct in office. To conclude otherwise might have raised a host of questions about the entire private financing mechanism of public elections.

McFall steadfastly denied that he was doing something other than representing the interests of his 14th congressional district. "I was motivated by a desire to do a good job for my constituents," McFall said, adding that he was a supporter of a strong Korea long before Park arrived on the scene.

The wedding present

Less complicated was the case of Wilson, a former state assemblyman whose congressional career began in 1962. A gaudy dresser and flashy type, Wilson serves on the Armed Services and Postal Committees. His sin was lying to House investigators about a $1,000 gift he received from Park in 1975 as a wedding present during a trip to South Korea.

Wilson, who had married a South Korean native, had met Park the day previous to receiving the gift. But that short acquaintenance did not prevent Park from calling the money a "typical Korean wedding present." In responding to a questionnaire given to every House member about possible dealings with Park and others, Wilson neglected to mention the wedding gift. Only after Park began detailing his story to American investigators early this year did Wilson remember the gift and amend his response, the Ethics Committee said. Wilson contended that he was not trying to hide the money, that in the rush of events surrounding his marriage he had simply overlooked it and reported the incident as soon as he remembered it.

The most serious case involved Roybal, who served 13 years on the Los Angeles City Council before coming to Congress in 1962. The state's only Hispanic member, Roybal was thought to have an ironclad reputation for honesty and integrity prior to his involvement with Park. A man of few pretensions, Roybal is well-liked by his colleagues. Many of them see in him a man caught up in a web of circumstances not of his own making.

But Ethics Committee Chairman John J. Flynt of Georgia and others saw it differently. Roybal had been handed $1,000 in $100 bills by Park in 1974 while in Passman's office. He did not report the contribution and coverted part of it to his personal use, according to the charges against him. But to compound matters, Roybal, while under oath, lied to committee members and investigators four times about the contribution.

"Mr. Roybal had taken a solemn oath to tell the truth before this committee and he broke it," said a member of the Ethics panel, Republican Congressman Floyd Spence of South Carolina. "This constitutes perjury. Moreover, whereas Mr. Wilson ultimately told the committee the true facts, Mr. Roybal told the committee four different versions of the facts."

Lying about a crime is often more harmful than the crime itself and the committee acted accordingly by recommending that Roybal be censured. This is the toughest penalty short of expulsion and one which has not been levied in the House since 1921, when a congressman inserted obscene material in the Congressional Record.

Had he been censured, the 62-year-old Roybal, once the Democratic candidate for California lieutenant governor, would have been required to stand before the full House while the charges were read aloud. But amid mutterings that Roybal was being treated more harshly because he was of Mexican descent and complaints that all three congressmen should be given the same punishment, California Democrats mounted a campaign to reduce the penalty.

The debate was punctuated by little discussion of the merits or demerits of Roybal's case, but instead focused on his reputation for honesty. This was the case despite the fact that Flynt had told the lawmakers that he personally had battled back a committee proposal that Roybal be expelled from the House.

"There is not, in my opinion, a dishonest bone in Ed Roybal," said Democratic Congressman Glenn M. Anderson of Los Angeles, echoing the comments of many. "He could have forgotten, he might have been confused on what happened four years ago. I do not know. But as far as integrity or doing anything dishonest, my feelings is that Ed is just not capable of doing anything dishonest."

"In my district," said Democratic Congressman Phillip Burton of San Francisco, "we have a way of putting it: 'You can't buy Ed Roybal for money, marbles or chalk.' "

The House concurred, voting 219-170 to reduce the penalty to a reprimand.

The extensive publicity and ultimate sanction of their peers apparently did little to diminish the holds that Roybal and Wilson have over their congressional seats. The veteran McFall, however, had a far more tenuous grasp of his seat and was defeated last month by a well-financed opponent, Norman Shumway.

But if Koreagate is to have any meaning, it is essential to go beyond the criticism and skepticism surrounding the investigations. There are, after all, some important lessons to be learned:

- ***Members of Congress*** are too susceptible to gifts and blandishments offered by favor-seekers of all stripes. The free-lunch syndrome extends from swarms of lobbyists picking up the tab to the willing acceptance of contributions by congressmen who are more concerned with the size of the donation than the motivation.

McFall, for instance, explained that he placed the $3,000 Park contribution in his office account because he thought federal law at the time prohibited the receipt of contributions from foreign nationals, which he assumed Park was. (He wasn't.) If that was the case, asked a member of the Ethics Committee, why didn't McFall simply refuse the contribution? His response: It was legal to put money in his office account.

- ***The investigation*** served to show that the public desires and deserves not only honest conduct, but conduct which does not give the appearance of impropriety.
- ***The press,*** in its zeal to uncover another scandal of Watergate proportions, overplayed the story, often exaggerating its scope and implying far more corruption than ultimately was uncovered. At one point the *New York Times* said there was evidence which would implicate 115 House members in dealings with Park — a far cry from the fewer than 10 who were cited.
- ***The House (and the Senate as well)*** may be incapable of rendering impartial, apolitical judgments about its own members. Disciplining their colleagues is something not relished by House members. Both Lacavora and Jaworski suggested independent-type commissions or committees which might serve to quell doubts about the integrity of such investigations. Appointed either by the president or by the House, such a commission would remove some of the cynicism which surrounds the current operation, the prosecutors say.

There are those who say the House need not police itself because that is a responsibility of the voters who elect their representatives every two years. Yet there exists a need, in the wake of Watergate and now Koreagate, for the House to give definition to what constitutes unacceptable conduct.

Despite the lingering doubts about the Ethics committee's performance, most of its members probably would agree with New Jersey Congresswoman Millicent Fenwick, who feels it did the best it could under the circumstances. "We may have brought forth a mouse," Fenwick says, "but it was an honest mouse."

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FRANK LANTERMAN, THE CURMUDGEON OF LA CANADA

Farewell to the bachelor father of the Assembly flock

By RALPH JUVINALL

"The unity of the family is all that's important, that's all that amounts to a tinker's damn anywhere," said Assemblyman Frank Lanterman, 77, in what was to be his final formal address from the floor of the California State Assembly. "I speak as one who has only an elder brother left — the two withered old leaves, dangling on the vine . . ."

Lanterman, at his maudlin best, went on to praise the family of a colleague who was also retiring from the Assembly. But he might have been speaking of his Assembly family as well. For Frank Dexter Lanterman suffers exquisitely from a gushy affliction known as "love of the house," that clubhouse curse not uncommon to the most jaded outgoing member of the Legislature and one which, according to the cynic, strikes perilously close to love of self.

In Lanterman's case, however, the rotund old curmudgeon developed the symptoms early, soon after checking into the Assembly some 28 years ago as a rotund, middle-aged curmudgeon from the northeast Los Angeles County community of La Canada. And, one suspects, the lifelong bachelor's affections have been more those of a father for his flock than the self-adulation of the public person.

Wrote Lanterman in one of his first reports to his district: "Four men were stricken with heart attacks during the session because of the terrific pressure of time limitations placed upon the legislators. Two died and two are invalids. I cannot conceive that the people of our state would continue to ask such sacrifice, physical and financial, as is now demanded of your state representative in Sacramento."

Perhaps as a consequence of this high-blown view of his lower-house peers, Lanterman's affections have not gone unrequited over the years. His colleagues served up a series of word feasts in his honor toward the end of the 1977-78 legislative session, his last. For example:

"Highest among all of you, as I'm sure you will allow me to say, is this beautiful man Frank Lanterman," oozed lame-duck Assemblyman Dixon Arnett, Lanterman's seatmate for the past several years. "If someone were to ask me to name three or four of the men who I think are — in all history — the greatest of men, on that list would be this man. This is a celebration!"

Thus securely installed somewhere between Sir Isaac Newton and Mohammed, Lanterman could afford to be generous in response. But he always has been quick to defend his Assembly family against external threats, be they persons or ideas. Not surprisingly, he is contemptuous of the initiative process and those who employ it. Of Common Cause and the People's Lobby, the two groups most responsible for placing the Political Reform Act on the 1974 ballot (Proposition 9), he says, "They give me a pain right where I live. They're all people who live off the edge, circulating petitions."

Taking on Jarvis

As for Proposition 13, just prior to the June election — when the world knew Jarvis-Gann was a cinch — Lanterman nonetheless characterized the initiative as "an old medicine man's nostrum, without banjos or torch lights or snake oil." But he reserved his sharpest barbs for Howard Jarvis himself, whom he holds responsible for damaging the Legislature's image and crushing his seatmate Arnett's primary bid for state controller. In his final address Lanterman alluded to Jarvis as an enemy of the Assembly: "I have spent all my 28 years trying to build up the dignity and integrity of this house, and to have a demagogue come in and destroy us in front of the people — that made me so angry that I feel sad today." Lanterman also added "bellicose old faker" and "two-bit refugee from Utah" to his Jarvis characterization.

If criticism of the Assembly ever was in order, Lanterman was up to that task too. "I can't think of anything more absurd than to turn over a $7 billion tax determination to this Legislature as it's presently constituted," said Lanterman prior to the passage of Proposition 13. "If you had an evenly balanced Legislature, so that you had full debate and

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compromise, you'd get a hell of a lot better legislation out of it because they couldn't just force things through."

A Republican, home-rule zealot, fiscal conservative, and self-described sentimental old fool, Lanterman forced a number of things dear to his heart through the Legislature in his time. Not the least of these was the Lanterman-Petris-Short Mental Health Act, for which he is most noted.

Time was always on his side, because the Assembly was his home, almost literally. His first six years in office were spent living and working out of the Capitol and his room at the Senator Hotel, just across the street. Then he moved to an apartment a few blocks down the street because, he reportedly said, "I found out that a man my age couldn't close the bar every night at two."

Help for 'Whistling Billy'

Even then Lanterman often failed to leave his work at the office. He would hold court, paw through paperwork or tinker with budget matters through the night and into the next day. Noted one newspaper in 1969, in an apparent attempt to explain his often rumpled appearance, "He has literally slept in his clothes to meet his schedule." Drawing few lines between his work and his social and personal life, Lanterman was a Capitol grind, a walking Assembly Journal who could — and would — talk into the evening on the state of the state.

Water law was what took him to Sacramento in 1951. He scored his first major legislative triumph by authoring a bill credited with saving Los Angeles' West Basin and adjacent agricultural lands in Orange County from saltwater intrusion.

"I carried the bill for the West Basin after Charlie Chapel, the assemblyman from Inglewood, had insulted the old Standard Oil representative," Lanterman recalls. "Whistling Billy, we used to call him, 'cause he'd look you straight in the eye in all seriousness, and start whistling."

Standard's El Segundo refinery is located in the West Basin, Lanterman explains. "Whistling Billy tried to get Chapel to do it, and Chapel said, 'Hell, you didn't contribute to my campaign.' You didn't do that to this old Stevens, Bill Stevens. He was a courtly old gentleman who had great dignity and real clout — Standard Oil just represented a hell of a lot of power. So I carried it, and we put through a water injection system creating hydraulic dams that prevented saltwater from being sucked into underground vacuums caused by overdrafting. But at first they said, 'Well, you're crazy as a bedbug; why don't you just use the water?' "

Lanterman always took his role in the Assembly seriously. In 1965 he resigned in protest from the local government committee, a policy committee which, he says, had been "a reference point of integrity for all committees — it wasn't controlled by lobbyists. It was impartial." But then, under a new speaker, Jesse Unruh, and a new chairman, John Knox, the committee passed out a cities-sponsored bill making it easier for cities to annex unincorporated areas. "Not with my consent," said Lanterman, "and I hereby offer my resignation — and you may all go straight to hell in a handbasket."

That revolt, according to Lanterman, resulted in a compromise amendment creating Local Agency Formation Commissions (LAFCOs) in counties throughout the state. Nevertheless, he remains skeptical about such commissions: "That's the established means for creating the disasters that occurred in Los Angeles County and Santa Clara County, where city managers and city attorneys used the annexation system to circumscribe and encapsulate areas by ribbons of annexation."

Lanterman's official family included, from time to time, persons in the executive as well as legislative branch of state government. He liked, and liked to do battle with, Pat Brown. "I had a better relationship with Brown's finance department, headed by Hale Champion and Jack Sheehan, than I had with most of the relationships during the Reagan period — a very nice relationship," he recalls.

But Brown's fiscal policies were another matter, particularly his "accrual-accounting hoax." As a means of solving Brown's persistent cash-flow problems and avoiding accrual accounting, Lanterman — arguing against the islands of uneven cigarette tax rates which were then scattered around the state — moved a bill through the Legislature to replace the city cigarette tax with a uniform, statewide cigarette tax. Brown gave the bill a pocket veto because, Lanterman says, "His old friends the Glaser Brothers in San Francisco were tobacco wholesalers and they said 'no.' " That veto was responsible in part for the eventual abolition in 1972 of the pocket veto, according to Lanterman.

Battling the Greek chorus

Over the years Lanterman maintained a healthy disrespect for his counterparts in the state Senate, a house he perceived as sluggish and overly influenced by the highway lobby, or what Lanterman calls "the Greek chorus."

"The Assembly leaves a much clearer record of achievement for the people than the Senate," he wrote in a session's-end constituent report in 1953. "While the Assembly was basically economy-minded, it nevertheless passed many sound measures . . . which were refused passage by the Senate."

A supporter of the first bill to create a fixed-rail rapid-transit system in Los Angeles, Lanterman often did battle with Senator Randolph Collier over the latter's ever-expanding freeway master plan. By 1959 Collier had built into his plan, according to Lanterman, $1 billion per year in new construction spending on an open-ended basis. "It was a beautiful piece of engineering, politically," said Lanterman. "It was just laid out to go forever, and everyone was

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happy to go into infinity — 'Life, isn't it wonderful, we'll all get our cut.' "

He opposed Collier's plan and helped put a rapid-transit proposal on the Los Angeles County ballot. It was overwhelmingly rejected by the voters, and Lanterman laid the blame on the deceptions of the automobile clubs and the highway lobby who, he says, convinced the voters that more freeways would relieve city traffic congestion. "They put out this fried egg," he says, holding up a tattered brochure like a dead fish. "It color-codes the traffic patterns in LA, and down at the bottom, in six-point type, are the words 'Not at peak hours.'

"I said, 'Ha! You lying bastards!' That's the kind of propaganda I had to fight. It was the establishment, and they whopped me down good. The voters were sold such a package of flap-doodle that the proposition went down too."

In Lanterman's view, the bastard child of state government was the blue-blooded University of California system. He considered it sullen, precocious and — when it came to legislative inquiries — autistic. But it was still a branch of the family. In 1970, after Lanterman had risen to the chairmanship of the Assembly Ways and Means Committee, he used his new-found strength with particular relish to crack the information barrier at the university. The occasion was a hearing on campus disturbances and at issue was the release of university data on student-professor contact hours. "We had an idea that freshmen and sophmores were seeing only teachers' assistants and bobtail flunkies," remembers Lanterman.

But the larger issue was the insularity of the university system and its habit, from a Sacramento perspective, of telling the Legislature to keep its checks in the mail and its hands off the university china. Of UC's appearances before his committee hearings on campus disturbances, Lanterman says, "They were just stuffed shirts making noises."

The evening after one day-long, tension-filled hearing, Lanterman began sounding off over at the Senator Hotel bar. "What the hell do some of these knuckle-headed profs think we're doing up here?" he recalls saying — in a voice loud enough to be heard by a nearby bar patron, the president of UC's academic senate. The professor took the bait, and Lanterman proceeded to deliver to him a long list of particulars against the university system. That breach of barroom etiquette forced the issue, according to Lanterman, and led to the first formal meeting of the academic senate and members of both legislative finance committees, where "civil communications" were established for the first time in years. "It was a rapprochement, and it cleared the air," says Lanterman.

Later that spring, Lanterman was invited down to Berkeley to deliver his message to a convocation of all of the academic senates of the university system. "I went down and — with a whirlybird going overhead, the boys in green and mufti on the corners with stacked bayonets, the chrome and crystal of the student union building destroyed by violence, doors plastered up with plyboard, and a slut washing her feet in the fountain in front of Sather Gate — I said, 'It's just the nadir of the humiliation of the university, and it's going to stop.

" 'If any of you people have illusions that you're going to build Irvine, San Diego, Riverside, Santa Cruz and Davis into new UCLAs, you've got another think coming, because the money is not going to be available. Now just bring your sights down. We've got 19 state colleges out there that are already duplicating much of what you're doing, and we don't need a gas station on every corner.' "

Bach on the organ

Asked why he decided to retire from the Assembly, Lanterman said, "What the hell are you supposed to do, go on forever and become senile like some of those dimwits in Congress?"

Lanterman's official family ties with the Assembly ended last month. He returned to the Lanterman family home in La Canada, which he shares with his brother Lloyd and a 34-ton pipe organ.

There, Frank Lanterman plays Bach on the old Wurlitzer and Lloyd Lanterman listens and makes repairs. Lloyd, 81, used to play the saxophone long ago when Frank threatened to "wrap it around his neck."

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The selling of California

By world standards, property in California – especially farmland in the central valley – is dirt cheap. That's why foreign investors are gobbling up the California landscape.

BY HAL RUBIN

A mortgage expert explains recent large-scale investments by foreigners in California real estate this way: "They don't want to get rich. They are rich. They just don't want to get poor."

Profit is an important motivation, but political turmoil at home is also behind the frantic search of many foreigners for a safe place to put their wealth.

No one really knows how much of California now belongs to alien landlords because they generally cover their tracks carefully, and real estate brokers would rather not talk about their sales to foreigners. But here are a few clues:

• ***Last year the Amrex Corporation,*** a San Francisco based real estate firm, was broker for about $50 million worth of farmland purchases in the Sacramento-San Joaquin Valley, some of the most fertile agricultural acreage in the world. Gerald Johnson, president of Amrex, estimates that 40 percent of his company's land sales went to customers from abroad. Amrex recently took a large ad in the *Wall Street Journal* to announce it was holding an international Market Day in Zurich, Switzerland, to find buyers for prime U.S. real estate.

• ***The Bank of America Mortgage*** and International Realty Corporation has invested $50 million in real estate — mostly in California — for the government of Kuwait.

• ***Statewide, Coldwell-Banker,*** one of the largest real estate firms in California, sold more than $200 million worth of non-farm property to foreign purchasers in 1977, but significant parcels of agricultural land went on the block too. Neil Smyth, vice president in the Sacramento office of Coldwell-Banker, says that investors from Germany, Italy, the Arab states, Japan, Taiwan and Canada are putting their money into the Golden State. The Arab countries are the most active, Smyth adds. He reports that foreign investments in California have increased substantially in the past four or five years. Much of the foreign money has gone into shopping centers, office buildings and other structures.

• ***Since 1976,*** about 17,000 acres of delta farmland in San Joaquin County have been sold to foreigners: Empire Island, 1,207 acres (Italian); Union Island, 5,000 acres (French); Rhindge Tract, 2,500 acres (nationality unknown); Medford Island, 1,221 acres (Italian); Mandeville Island, 5,000 acres (Italian).

• ***An Arab group*** with $20 million to spend has been interested in 5,000 acres and a cannery in western Fresno County, and Iranians have been buying up large chunks of real estate in Los Angeles County. Italian investors came to Fresno with $12 million to put into farmland.

• ***Early in 1978,*** a foreign investment syndicate called Western Farmlands tried to get permission to buy up $100 million worth of Central Valley farmland. They backed off when the Legislature began probing for information about who was involved.

• ***In Sacramento County*** the entire town of Locke and the surrounding pear orchards were bought up by a group of Taiwan-Hong Kong Chinese. Just over the line in Placer County, Italian investors recently took title to about 3,000 acres of land.

The safest investment

The reasons for the trend are abundantly clear: Particularly in California, American land and the structures upon it are "dirt cheap," according to foreign standards. The decline of the dollar has further stimulated international investors to get in on a good thing.

One German broker who specializes in American real estate for a Hamburg-based investment fund puts it this way: "American agricultural is nothing less than the safest investment around." Agricultural land, he says, will keep its value because of expected worldwide food shortages in the

Hal Rubin is a journalism professor at Sacramento State University and a frequent contributor to the Journal.

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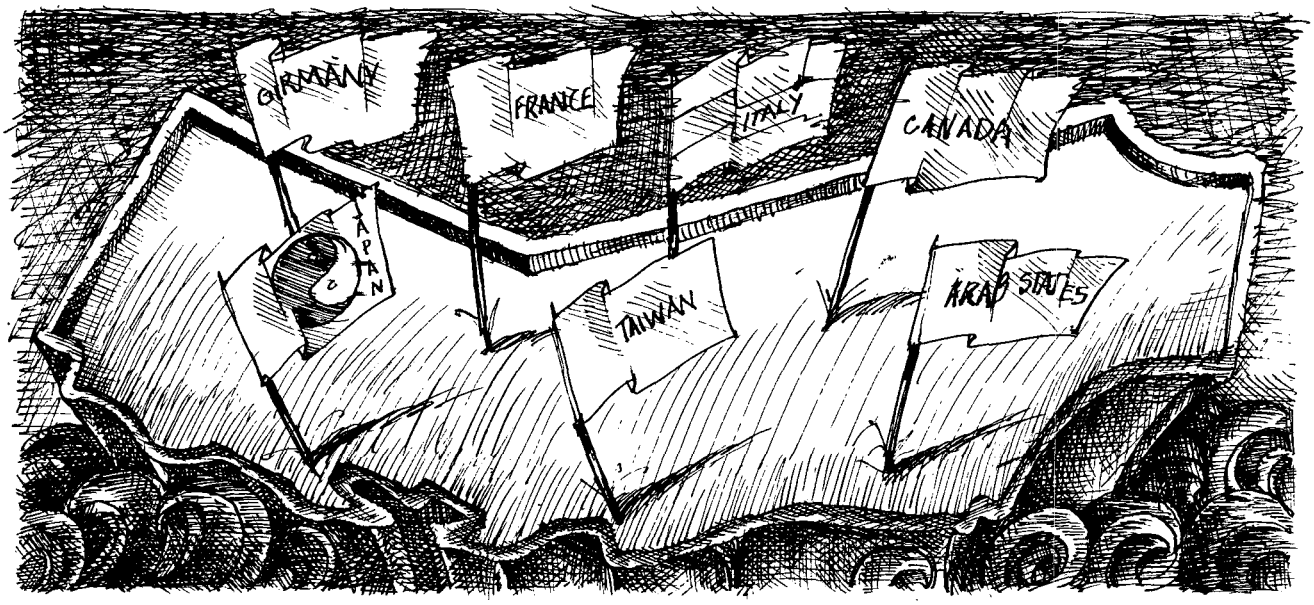

future. Europeans have always recognized land as a hedge against inflation, and the investors will benefit from capital appreciation due to skyrocketing land values. Even with inflation, land and property are good buys. Farmland prices in Western Europe are about double the price of the same quality of land in the United States — $3,000 an acre in West Germany and France versus $1,500 an acre in the U.S. last year.

Yet political instability, or the threat of it, in Europe, the Middle East and Latin America is a bigger incentive than bargain prices. Many foreigners, fearing Communism or revolution, consider America a stable bastion of free enterprise. An investment here provides a base of economic and political power within America for themselves and their heirs when they need it.

Some businessmen defend foreign investment as of mutual benefit. Until recently, they say, international investment was one-sided, with the U.S. spending billions of dollars on plants abroad. Now, with foreign investment coming here, jobs are being returned to the States. They point out that foreign investment in the U.S. now totals about $171 billion, or about two-thirds as much as the sum of U.S. investment abroad. Furthermore, they remind critics that absentee ownership of California land by domestic corporations is already a reality. About 3.7 million acres of the state's arable 6.1 million acres are owned by 45 corporate agribusinesses.

Unallayed fears

But such arguments have not allayed the fears of many Californians. Central valley farmers are apprehensive because they oppose any absentee ownership, domestic or foreign. They claim it is becoming nearly impossible for them to pick up additional acreage because foreigners keep raising the price on what is available. Another of their concerns is that many young farmers cannot start their own operations because land costs are soaring.

Government officials also are apprehensive about growing foreign control of U.S. farmland. The nation's agricultural exports — $24 billion worth last year — are a major component of U.S. trade, and the government would rather not see foreigners control the source of that trade. Others complain that California farmers have received many benefits from the taxpayers — subsidized water, research assistance from the University of California, price supports and marketing quotas. The *Fresno Bee* recently commented editorially: "Such benefits should not be bestowed on foreign investors whose stake in America is purely financial."

Reaction against the foreign investments is reflected in recent legislative battles. Fresno Assemblyman Richard Lehman this year introduced AB 3627, the Alien-Owned Agricultural Land bill, to halt the sale of California farmland to non-resident aliens. Opposing the bill were the California Association of Realtors (CAR), and the California Land Title Association.

The CAR used its considerable influence to defeat the measure, using these arguments: The bill is unconstitutional because the state constitution provides that non-citizens have the same property rights as citizens; foreign ownership is so minimal as to pose no threat; it would unnecessarily complicate the selling of land; California agriculture needs additional sources of capital in order to expand; and foreign nations might make reciprocal prohibitions against investment by U.S. citizens.

Supporting the CAR position and adding his own organization's concerns, Ralph Simoni said the California Land Title Association (CLTA) was specifically concerned with the legal issues and the impact of AB 3627 on title insurance. Simoni called the bill ambiguous and said that if the bill were accepted, title companies might be liable if they insured titles to non-resident aliens and then there were subsequent defaults on the loans.

CLTA also cited the problems title companies would encounter when trying to determine if a prospective buyer was a non-resident alien. Also, the bill defined agricultural land as "any tract containing more than five acres." Under that definition, according to Simoni, Governor Brown could not permit the Japanese firm of Toyota to build a factory in California because it could not acquire more than five acres even if the use was for a factory, not for farming.

Largely due to the opposition of the CAR and CLTA, the Lehman bill died in the Senate Judiciary Committee last session. Lehman has planned hearings in the San Joaquin Valley to determine the extent of land purchases by aliens.

Enforcing the law

George Ballis — executive director of National Land for People, a Fresno-based, public-interest group working to enforce federal reclamation laws pertaining to the 160-acre limitation in the Westlands Water District — favors restriction of alien corporate ownership of land. But he charges that the Lehman bill is a sham. He says, "The most direct way to eliminate foreign ownership of agricultural lands

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would be to enforce the residency provision of the Reclamation Act. The law is already on the books, but it has not been enforced."

Assemblyman S. Floyd Mori, the son of Japanese immigrants, is fearful the current reaction to land purchases by aliens will revive racist feelings that once prevented Asians from owning land in California. He warns that the current anti-foreign sentiment could discourage Japanese importation of California farm produce. Nor is the current mood likely to encourage Japanese manufacturers to locate their plants in California, Mori says.

On the same day that the Lehman bill was blocked in Sacramento, a measure by Fresno Representative John Krebs was passed by the House Agricultural Committee in Washington. The Krebs measure would require alien farm investors to register their transactions with the federal government and would give information to the U.S. secretary of agriculture that is not now generally available. This would enable the government to monitor the effects of farmland purchases by foreigners on small farms and rural communities. As Krebs told his colleagues, the problem is not California's alone. The Sunbelt states and, to a lesser degree, other sections of the country are also experiencing more foreign investments.

Twenty-nine states already have laws that limit foreign ownership to some degree. Only Iowa now attempts statewide registration of owners of land. Iowa and Oklahoma have laws tough enough to prevent foreign ownership from gaining a major foothold.

The ownership maze

But as the situation stands in California, records of foreign ownership are scattered and ownership is hidden. Many foreign purchases are made through dummy corporations. One Fresno County farm is owned by Tranquility Modesta, Ltd., a Netherlands Antilles Corporation. Documents in the county recorder's office show that the sole stockholder is Qilar Costa, an investor from Uruguay.

Foreign purchasers often go to extraordinary lengths to conceal their identities. In one instance, a West German investor contacted a Canadian realty firm, which contacted a Wyoming broker, who contacted a Chicago bank, which hired a Kansas broker, who in turn found a local broker to handle the purchase of a 2,500-acre Kansas farm.

Because of such tactics, Assemblymen Lehman and John Thurman have proposed a bill that would require corporations to list addresses outside the United States and force alien buyers to list their professional occupations and business affiliates.

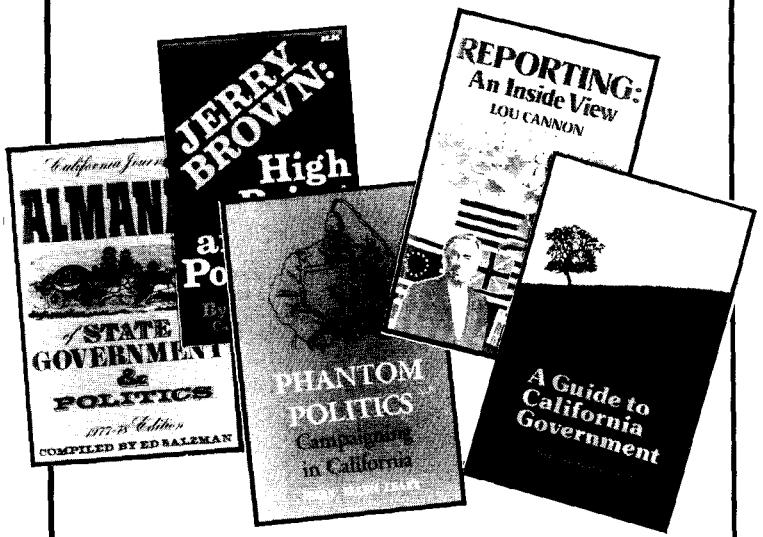
At present, foreigners can get special tax breaks through subsidiaries in places like Liechtenstein or certain Caribbean countries. In fact, most countries whose residents do business here have reciprocal tax treaties with the United States. The purpose of this arrangement is to avoid double taxation, but the net result is to reduce or eliminate the 30 percent investment income tax.

One example of how the tax dodge can work is the U.S. treaty with the Netherlands Antilles, which is a group of islands in the Caribbean. That treaty makes the Antilles an attractive place from which foreigners can invest in American property because it enables real estate buyers to avoid U.S. capital gains taxes, withholding taxes on dividends paid to the firm's stockholders, and withholding taxes on interest paid by the firm. In addition, the foreign buyers doing business from the Antilles do not have to pay income, estate or inheritance taxes in the United States.

Tax advantages like these have spurred on Assemblyman Lehman, who says he will try again next year for a law limiting land purchases by non-resident aliens. He knows he faces formidable opposition.

Gift book ideas from the

California Journal Press



In the next few days, you'll be trying to figure out the right gift for each person on your Christmas list.
Here are some suggestions from the **California Journal Press:**

A great gift that entertains as it informs: **The Cartoon History of California Politics,** by Ed Salzman and Ann Leigh Brown, a 156-page book containing more than 100 drawings illustrating California's fascinating political history. Price: $5.25, including tax.

The essential reference volume on California government and politics: **California Journal Almanac of State Government and Politics, 1977-1978 edition.** Price: $4.19, including tax.

The Whole Brown Catalog: **Jerry Brown: High Priest and Low Politician,** by Ed Salzman, with cartoons and photos. Price: $3.13, including tax.

An indictment of the industry that helped Brown hide the 1974 gubernatorial campaign: **Phantom Politics: Campaigning in California,** by Mary Ellen Leary, a 191-page paperback book describing media coverage of California politics. Price: $6.31, including tax.

A thoughtful analysis of contemporary problems in the press: **Reporting: An Inside View,** by Lou Cannon, a 320-page book by the Journal's long-time Washington columnist. Hardback, $10.55; softbound, $5.25, including tax.

The book that tells all about California sex laws without the slightest hint of titillation: **Sex Code of California,** prepared by Planned Parenthood Affiliates of California. Price: $5.25, including tax.

A reference book on the various elements of state government: **A Guide to California Government,** published by the League of Women Voters of California. $3.50, including tax.

Use the handy card in this magazine to place orders. Or just write out your own with payment (Visa and Master Charge numbers accepted) to **California Journal Press,** 1617 10th St., Sacramento 95814.

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Can the state's 14 HSAs control health-care costs?

By PAT WASHBURN

America's health care system has been compared to a giant vacuum cleaner, capable of sucking up every dollar available to it. Hospital and health-care costs in California increased 93 percent from 1972 to 1976. This year the nation's annual expenditure for hospital services will reach $7.4 billion, almost double the 1974 level.

And while costs spiral upward, millions of Americans still lack adequate medical and hospital services. Over the past 30 years, the federal government has tried various schemes to regulate costs or to improve services. Generally these plans either have bogged down in bureaucracy or have been watered down by compromises.

The underlying problem lies in the unique nature of the health-care industry. Although the industry has the same incentives to spend and to grow as other types of business, it does not have the competitive characteristics of the marketplace. A consumer can't decide whether he or she needs hospital service or whether the price is right. Governor Brown has said that hospitals should be regulated like a public utility. But any efforts to control costs or to limit hospital expansions have met with powerful opposition from medical societies and hospital associations.

Now there is another effort to overcome the health-care crisis: Public Law 93-641, passed by Congress in 1975 and to take effect on January 1st, 1980. The law creates about 200 Health Systems Agencies (HSAs) throughout the nation, 14 of them in California. These HSAs have the following powers:

- ***To approve or disapprove*** all applications for federal health-care funds;
- ***To implement*** five-year health needs plans and to review existing health facilities for "medical appropriateness."
- ***To determine*** which services are not in accordance with their plans and — starting in 1980 — to deny such facilities Medicare or Medi-Cal reimbursements.

The big question about HSAs boils down to this: Will they be strong enough to bring about real health-care reform? Or are they simply one more bureaucratic compromise with status-quo powers?

Some health planners fear that the HSAs are merely an attempt by the federal government to take the heat off itself by placing the HSAs and the states in the position of saying "no" to organized medicine. But they take some hope in the fact that HSAs introduced a new concept in health planning: Public members, called "consumers," are a majority on all HSA boards and councils. The consumers must comprise 51 to 60 percent of an HSA's membership and the mix must reflect the social, ethnic and economic population of the area. They are equal in voting power with the "providers," who comprise the other 40 to 49 percent. This category includes representatives of physicians, dentists, nurses and other health professionals; health care institutions; health care insurers; health professional schools; and the allied professions. All board members are volunteers who serve terms of two years.

Dragging its feet

Putting the law into practice has already been agonizing for HSA volunteers and their staffs. the HSAs are caught in the struggle among federal authorities, state governments and organized medicine — and the struggle often involves much more than health-care planning. Gordon Cumming, executive director of the California Association of HSAs, worries that "the HSAs are more sinned against than sinning in all this."

Usually California is ahead of other states in health-care concerns, but it has dragged its feet on implementing the HSA plan. Governor Brown dislikes the federal law, saying it creates "unnecessary bureaucratic layers." The law also effectively circumvents state control, making HSAs directly answerable to the federal Department of Health, Education and Welfare. States have no power over HSA decisions on the use of federal funds. While a governor can make appointments to the state HSA Advisory Council, which reviews HSA plans and hears appeals, recommendations for appointments must come from the HSAs.

The Brown Administration has advocated changing the law so that HSAs will have to go through the state instead of around it to get to HEW. Responding to such concerns, Congress is considering legislation intended to increase state participation and authority in HSA decisions.

Despite his reservations, Governor Brown finally signed the implementation bill, Assemblyman Barry Keene's AB 4001, in September 1976 — one year later than all other states. But during the year of delay, $4 billion worth of exemptions were granted for hospital construction loans. According to Keene, those new projects could eventually cost $800 million per year to operate.

Whenever new cost-containment laws are proposed, hospitals — operating on a now-or-never philosophy — rush to get their projects underway. The scramble before AB 4001 passed was no different. "It was like the Oklahoma land rush," remembers Cumming. "Hospitals in effect lined up and charged to beat the law before the new bill could take effect. And there were plenty of loopholes for those who didn't go fast enough." Said Linda Bergthold, a consumer

Pat Washburn is a free-lance writer in Sacramento.

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My God, it's John Q. Publik
.. this guy's suffering, and if we don't bandage him he'll bleed to death..
CALIFORNIA GRADE AA RED TAPE
use lots of red tape.
.. and take two aspirin..
A.M.A.

ILLUSTRATION BY DONNA RIVERS

member from Mid-Coast HSA, "The medical societies can find new loopholes faster than the legislators can plug them."

But the compromises and exemptions didn't sell well in Washington. Federal authorities have threatened to withdraw their designation of California as a state agency and $2 million in grants unless California passes an improved law by October 1st, 1979. The year after that could be worse. According to Henry Zaretsky, director of the Office of Statewide Health Planning and Development, California stands to lose as much as $600 million in public health funds annually unless it satisfies the federal standards.

Even if a new bill passes, the $4 billion in granted exemptions cannot be revoked. The HSAs have no jurisdiction over these new projects. There is no provision for HSAs to correct existing conditions that do not conform with the new federal guidelines; they can only plan for the future.

Furthermore, there are several major flaws built into the HSA system which are bound to handicap its effectiveness. For example:

• *Private physicians are excluded from the certificate-of-need process.*

Under AB 4001, a hospital must prove to its area HSA a legitimate need for expansion of facilities or services before construction or purchase of new equipment. But private physicians aren't covered by such limits, thanks in large part to effective lobbying by the California Medical Association (CMA)

The CMA and the California Hospital Association (CHA) disagree on this issue. CHA President Paul Ward, speaking before the Assembly Ways and Means Subcommittee on Health and Welfare, warned: "You can't control this escalation in total revenues spent for health care by controlling hospitals alone." Sue Hestor, a West Bay HSA volunteer, interprets the CHA position this way: "If we're stuck, you're stuck."

• *While organized medicine supports cost containment in theory, it is extremely fearful of any regulatory programs imposed by government, such as the HSAs.* CMA has stated a number of objections to the HSA system. Mainly, CHA believes "that local planning of health resources is desirable and necessary, but . . . the quality of care must not be compromised for cost efficiency in the process . . . Planning is a local function that must not be preempted by federal regulations."

One major concern is the consumer majority on HSA boards. Providers believe that consumers generally do not have the technical expertise or the broad view of the health system that is needed to make correct decisions. By contrast, HSAs' Cumming believes the consumer majority is vital: "It is unreasonable to expect health care officials to limit health expenditures, based on the track record to date. I don't like to put it all in dollars, because that seems to imply that that's all the HSAs should be interested in. But the facts are that a lot of money is being wasted, and the only way to do something about it is to limit the number of bucks."

• *Federal and state governments have provided little leadership or support to the fledging HSA boards and their staffs.* The HSAs have been given the monumental task of controlling a health industry that does not want to be controlled. They complain that they have only a vague set of guidelines, insufficient information on which to base their plans and decisions, and not enough money for proper staffing.

• *The long lead time for organizing – five years from passage of the federal law until its effective date in 1980 – has made some board members frustrated and cynical.* Hestor, an HSA member in the West Bay area, says: "People don't quite believe that there's actually going to be something happening of substance in the future . . . It's hard to get a broad range of consumers in if they're not assured that they're going to see some effect in the short run."

• *The state's largest HSA, in Los Angeles, already has produced a bad image for the system.* There have been well-publicized allegations about misuse of agency funds and ineffective management, plus charges that members of the sub-area advisory council represented narrow special-interest groups. The California Association of Health Systems Agencies adopted a resolution of a concern, stating: "The largest HSA in California, Los Angeles, is undergoing a period of severe stress, the results of which affect the political stability of other California HSAs." The resolution added that "a significant amount of financial and human resources are being expended in a manner unacceptable to the federal government," and it recommended that HEW do something. HEW has decided not to renew the Los Angeles HSA's conditional grant and designation. New applications will be taken to create another agency in that area.

Surviving birth

With so many handicaps, can the new system survive even through its own birth process? Cumming, the HSAs' executive director, thinks it will. All previous efforts at controlling health-care costs, he says, have been "a series of compromises to organized medicine that dodge the tough issues . . ."

If HSAs can't handle those tough issues and make health care affordable, the public may demand a more drastic solution. Then organized medicine may wish it had helped the HSA system succeed.

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California CAPSULES

Supreme Court halts routine detention of traffic violators

In a 4-3 decision, the state Supreme Court ruled that police may no longer detain traffic offenders for routine warrant checks without the presence of suspicious circumstances. The decision, written by Justice Stanley Mosk, reversed a burglary conviction of Larry McGaughran of San Francisco. Wrote Mosk: "Given the pace of contemporary life, it may well be a significant interference with the motorist's schedule to make him sit idly by for a full 10 minutes while the police make a warrant check on him." Mosk was joined by Chief Justice Rose Elizabeth Bird and Justices Wiley Manuel and Frank Newman. Justice William Clark, joined by Justice Frank Richardson, wrote a dissent that observed: "Here, a peaceful, 10-minute detention resulted in a burglary suspect being apprehended." Justice Mathew Tobriner dissented on other grounds.

Unemployment rate falls in California to five-year low

The United States Department of Labor reported in November that the unemployment rate in California had fallen to 6.5 percent, lowest since November of 1973. During the past year, the report indicated, a total of 530,000 new jobs have been created in the state. The national unemployment rate was 5.8 percent, and state officials said that the California rate normally runs above the national percentage because there is a steady flow of potential workers into the state. At the time of the report, there were some 9,950,000 persons employed in the state and 692,000 seeking jobs.

Voter registration tops 10.1 million for November election

Secretary of State March Fong Eu reported that there were 10,129,601 Californians registered to vote for the November election — a record for a non-presidential election year. In 1972, there were 10,466,215 voters on the rolls. The registration report showed that there is now only one county, Mono, with a Republican majority (1,637 to 1,609). Orange County moved into the Democratic column by a small margin, 407,668 to 404,653. State totals: Democrats, 5,729,755 (57%); Republicans, 3,465,175 (34%); American Independent, 84,884 (1%); Peace and Freedom, 31,407; decline to state, 790,197 (8%); miscellaneous, 28,083.

Brown Administration tries mail system for unemployment checks

The Brown Administration has gradually been putting into effect a system under which those on unemployment will no longer have to wait in line every two weeks to receive their benefit checks. Unemployment insurance benefits will hereafter be paid by mail in many cases. The state Department of Employment Development said that jobless individuals still must appear personally for "eligibility reviews" in which they are questioned about their efforts to find work. These usually occur at six-week intervals. The officials said the new system will save time and money for the unemployed, thus freeing more hours for them to seek jobs. Assembly Republican leader Paul Priolo branded the new system "an open invitation for massive fraud."

Coastal Commission tests experiment for land tradeoffs

The California Coastal Commission is trying a complex land bartering system in an effort to halt residential development in coastal sections of the Santa Monica Mountains. Under the tradeoff plan, owners of property in the target area would give up the right to build houses on their property. They would sell their rights to owners of land in highly developed coastal areas. The second batch of owners would in turn be given the right to subdivide their land and build houses on it. In sum, one set of owners would get cash and the other would get building clearances from the commission.

Newsmakers

Unwanted award

The California League of Conservation Voters designated Assemblyman **Tom Bane** as its "Sleazy Politician of the Year." The organization's Carl Pope said Bane's office had altered a League voting record to make it appear that the Assemblyman's environmental record was 100 percent instead of 75 percent . . . Former state Senator **Randolph Collier,** 76, started a career as a lobbyist, representing a major Central Valley cotton and tomato grower . . . The Senate Rules Committee appointed Senator **Bob Wilson** as a public member of the California Arts Council, a state agency he tried to abolish.

Bane

Collier

William A. Craib of South San Francisco, an associate transportation engineer, was re-elected president of the California State Employees Association. He becomes the organization's first three-term president . . . **D. J. (Jud) Callaghan,** chief executive officer for the Bay Area Air Pollution Control District for the past 17 years, announced that he will retire at the end of the year . . . **Robert H. Meyer,** 46, former chief deputy director of the state Department of Parks and Recreation, died in Sacramento.

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By Leo Rennert

California's rites of passage

In one of the biggest changeovers on Capitol Hill, California will field a much younger — but also weaker — delegation in the new House of Representatives. Twelve of its 43 members will be freshmen, who will need considerable time to develop expertise in the tricky art of congressional power battles. Gone from the California roster will be a number of veterans, whose seniority and key committee posts cannot be recouped in quick order.

EVEN BEFORE the November 7th elections, retirements and the death of Republican William Ketchum guaranteed eight new California faces in the lower house. The defeats of three Democratic incumbents — Mark Hannaford of Long Beach, John Krebs of Fresno and John McFall of Manteca — compounded the shakeup, followed by the ambush death in Guyana of Democrat Leo Ryan of South San Francisco. When the roll is called in January, one out of every four Californians will be a newcomer.

While youth has its own strengths, this sudden upheaval is bound to create special problems, particularly for a delegation accustomed to more glacial speed in membership turnover. California now may be more vulnerable to renewed efforts by "frostbelt" congressmen from the Northeast and Midwest to capture a bigger share of federal programs at the expense of the "sunbelt." With President Carter about to unload a very tight budget, this inter-regional struggle for Washington dollars is almost certain to intensify. California's big stake in defense spending and farm policies also could be affected by the delegation's weakened clout.

The new California look in the House will be most evident in the seven congressional districts of the Sacramento and San Joaquin Valleys. In the 95th Congress, this vast heartland — stretching from the Tehachapi Mountains to the Oregon border — was represented by lawmakers with 118 years of combined seniority. Come January, only one of the seven will be back — 70-year-old Harold T. (Bizz) Johnson of Roseville, who will retain his chairmanship of the Public Works Committee. But almost 100 years of seniority will be wiped out with the retirements of Democrats John Moss of Sacramento, E. F. Sisk of Fresno and Robert Leggett of Vallejo, the Krebs-McFall defeats and Ketchum's death. For their successors, that's a tough act to follow.

How the new and the old manage to get along — particularly on the Democratic side — is now the No. 1 question. With Democrats still firmly in control of both the House and the delegation the real action will remain on that side of the aisle. In trying to regroup, California's Democratic contingent faces an immediate generational problem. With 26 years of seniority, Moss is stepping out as chairman. Sisk, with 24 years, also has called it quits. Before his defeat at the polls, McFall, with 22 years, was next in line. Had he won, he almost certainly would have faced a palace revolt from younger Democrats who wouldn't have countenanced a lawmaker tainted by the Korean influence-buying scandal as their chairman. The voters took care of that problem, leaving Johnson, a 20-year veteran, as Moss's heir-apparent. If, as expected, there is no challenge to Johnson's assumption of the chairmanship, it will be interesting to see how a suddenly-turned-younger delegation can find unity, coherence and happiness with a septuagenarian at the helm.

Beyond these internal problems, the Democratic delegation also may find it more difficult to maneuver for leadership and key committee posts because of its reduced ranks. Republicans scored their biggest victories in House contests in California and Pennsylvania, picking up three seats in each state. Democrats held a better than 2-to-1 edge in the California delegation in the last Congress, 29 to 14. That margin now has shrunk to 26-17. California no longer has the biggest Democratic contingent in the House. It now trails New York, which, because of New York City's bankruptcy scare, suddenly has developed into a more unified and potent force.

Among the first critical tests confronting the California group will be its ability — or inability — to hold on to three Democratic seats on the Appropriations Committee and to Sisk's old seat on Rules. With McFall's defeat, Ed Roybal will be senior California Democrat on Appropriations. But the delegation may be in an uphill fight to get two other Californians on this key panel as replacements for McFall and for Yvonne Burke, who left to make an unsuccessful run for state attorney general. California also may end up with less clout on Armed Services and Banking. On the brighter side, returning California Democrats may move into more influential slots on the Judiciary committee.

On the Republican side, Bob Wilson of San Diego is the only Californian left who has been here since the beginning of Eisenhower's first term. He will lead an expanded Republican contingent that includes seven newcomers. Wilson also remains ranking minority member on Armed Services.

ADJUSTING TO an infusion of new blood will not be an exclusive California task. A traditional rival — the Texas delegation — may be in even bigger turmoil. With retirements alone, it has lost in one swoop such powerhouses as George Mahon, Olin Teague, Barbara Jordan, W. R. Poage and Omar Burleson. The heavily Democratic Texas contingent also will have to learn to get along with a new Republican governor. This assignment, however, may be less painful than the predicament of California colleagues, who increasingly may be pulled in different directions by Jimmy Carter and Jerry Brown.

Texas stands to retain an important trump card over California — Majority Leader Jim Wright. With Democrats eager to project a conservative image, the time isn't ripe for a challenge by San Francisco's Phil Burton, who lost to Wright by a single vote two years ago.

A footnote: Despite the big California membership turnover, the partisan lineups continue to mirror the decennial reapportionment of districts. Two of the Democratic losers were 1974 post-Watergate "babies" in areas which reverted to GOP control. The third, McFall, was a special case because of Koreagate. But in the eight "open" districts, the partisan configuration remained totally unchanged and the results weren't even close. In terms of party control, reapportionment still tells us more than all the balloting of the following 10 years.

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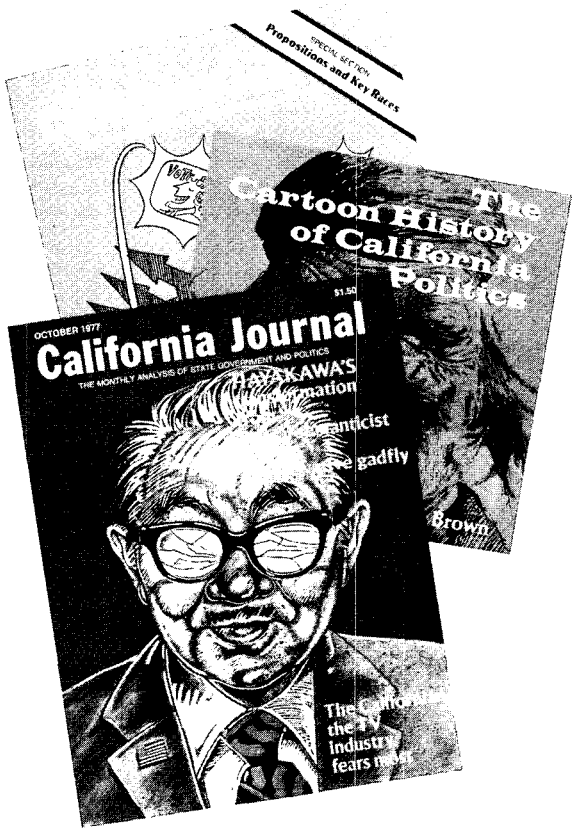

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All government bothers my conscience.

— Edmund G. Brown Jr.

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